

REPORT

OF THE

DELEGATES OF INDIA

TO THE

FIRST SESSION OF THE ASSEMBLY

OF THE

LEAGUE OF NATIONS.

TABLE OF CONTENTS.

	Para.
Introductory	1—9
Matters dealt with by Committee No. I.	10—21
	Para.
(a) Rules of Procedure	10—11
(b) Amendments to the Covenant	12—15
(c) Relations between and respective competence of the Council and the Assembly	16—17
(d) The method of selecting the four Members of the League to be non-permanently represented on the Council and the first appointment of four such Members	18—21
Matters dealt with by Committee No. II. (Technical Questions)	22—71
(a) Preliminary remarks	22—24
(b) Typhus	25—30
(c) Technical Organisations	31—56
	Para.
Relations of Technical Organisations to the Council and Assembly	32
Question of economic and financial organisation	33—39
Communications and Transit	40—43
Settlement of certain disputes under Treaty of Versailles	44
International Health	45
Composition of Committees on Communications and Transit and on Health	46—49
Expenditure on Technical Organisations	50
Action of the Assembly on the Committee's general report on Technical Organisations	51—53
(d) Special technical questions	57—66
India's claim to representation on the Governing Body of the Labour Office	58—59
Opium and other dangerous drugs	60—62
Traffic in women and children	63
Action of the Assembly on the Committee's general report on special technical questions	64—66
(e) Passports for members of the Secretariat	67
(f) Supplementary miscellaneous subjects	68—71
Children in countries affected by the war	69
International language	70
Organisation of intellectual labour	71
Work of Committee No. III. (Permanent Court of International Justice)	72—89
(a) Question of compulsory jurisdiction	73—75
(b) Continuance of Hague Court of Arbitration	76
(c) Geographical representation	77
(d) Representation on electing panel of countries not represented on Court of Arbitration	78
Number of candidates to be nominated	78
(e) Positions incompatible with that of Judge of the Court	79
(f) Validity of precedents	80
(g) Publicity and dissentient judgments	81
(h) Labour cases and Transit and Communications cases	82
(i) Report of Committee No. III.	83
(j) Action of the Assembly on the Report	84—85
(k) Covering protocol	86

Matters dealt with by Committee No. III.—contd.

	Paras.	Paras.
(l) Remuneration of Judges, etc.	87	
(m) Proposal as to the more precise definition of international law	88	
(n) Points on which a decision is required by the Government of India	89	
Work of Committee No. IV. (Financial organisation of the League)		90—114
(a) Staff and organisation of the Secretariat	91—95	
(b) The budgets	96—105	
(c) Allocation of expenses among the States Members of the League	106—107	
(d) Action of the Assembly on the Committee's general Report regarding the budgets and the question of allocation of expenses	108—114	
Work of Committee No. V. (admission of new States to the League)		115—123
(a) Admission of Austria, Bulgaria, Costa Rica, Finland and Luxemburg	118	
(b) Admission of Albania	119	
(c) Rejection of the Ukraine, Azerbaijan, and Liechtenstein	120	
(d) Action regarding Esthonia, Lithuania, Georgia, and Armenia	121—123	
Work of Committee No. VI. (Economic Weapon, Armaments, and Mandates)		124—150
(a) Economic Weapon	125—129	
(b) Armaments	130—142	
(c) Mandates	143—150	
Miscellaneous Questions		151—158
(a) Appointment of a Committee on question of registration of Treaties, etc.	151	
(b) Resolutions as to publicity of proceedings of the Council	152	
(c) Poland and Soviet Russia	153	
(d) Policy of Japan	154	
(e) Policy of China	155	
(f) Armenia	156—158	
Concluding Remarks		159—165

(For List of Appendices see pages 45 and 46.)

REPORT OF THE DELEGATES OF INDIA TO THE FIRST SESSION OF THE ASSEMBLY OF THE LEAGUE OF NATIONS.

TO THE RIGHT HONOURABLE E. S. MONTAGU, M.P., HIS MAJESTY'S
PRINCIPAL SECRETARY OF STATE FOR INDIA.

SIR,

We beg to submit our Report on the proceedings of the first session of the Assembly of the League of Nations at Geneva, at which we had the honour to represent India.

It may be mentioned that confidential weekly reports were sent by Sir William Meyer to the Under Secretary of State for India, and copy of the same to the Hon'ble Sir George Barnes for the information of the Government of India.

2. The Assembly met at Geneva on Monday, 15th November, in accordance with the message of the President of the U. S. A. summoning it under the last paragraph of Article V. of the Covenant. The Assembly consisted of representatives of 41 States, the majority of whom sent three delegates apiece, though some had two or only one. The list of the States represented and of the delegates will be found in Appendix I.

3. M. Hymans (Belgium), at that time President of the Council of the League, was elected President of the Assembly, and an address of welcome was given by M. Motta, President of the Swiss Confederation and the leading Swiss delegate. The proceedings were lengthened inevitably by the fact that the Assembly is officially bi-lingual, i.e., every speech made in French had to be translated into English and *vice versa*, and the official interpreters were, some of them, very indifferent. The delegates sat in the alphabetical order of their countries, with the result that India and New Zealand were a good distance away from the other Empire Delegations. The acoustic properties of the hall in which the Assembly met are very poor, which added to the difficulty of following what was said.

4. After determining provisional rules of procedure, to be in force until definite rules should be framed, the Assembly set up six Committees for preliminary examination of the bulk of the agenda it had adopted. This agenda is set out below and consisted largely of subjects referred to the Assembly by the Council, but also included items submitted by the Secretary-General (e.g., Nos. 17 and 18) or placed on the agenda at the request of Members of the League (e.g., Nos. 8, 15 and 20).

The six Committees were to deal with items 7 to 29, distributed in the manner indicated, and each Committee included one representative of every Delegation present, while provision was made for a delegate who could not conveniently attend to be represented by a substitute (*see* Appendix II, Resolution 3). The result was that each Committee consisted of about 40 members, an unwieldy body for Committee purposes.

The distribution of the groups was as follows :—

Item No.	Subject.
1	Report on credentials of representatives.
2	Election of President.
3	Temporary adoption of provisional rules of procedure.
4	Examination and adoption of agenda.
5	Nomination of Committees.
6	General Report on the work of the Council.

Not referred to any Committee.

General Organisation.

<u>Item No.</u>	<u>Subject.</u>
7	Definite rules of procedure.
8	Proposed amendments to the League Covenant.
9	The relations and respective powers of the League's Council and Assembly.
10	Method of selection and appointment of the four Secondary States to be elected by the Assembly to the Council, in which the Great Powers (Great Britain, France, Italy and Japan) have permanent representation.

Referred to Committee No. I.

Technical Organisation.

11	Relations between special technical organisations on the one hand and the Council and Assembly of the League on the other.
12	Establishment of a permanent Health Organisation.
13	The position in regard to typhus and other infectious diseases in Poland and elsewhere and the measures to be taken to combat them.
14	Supervision of the execution of agreements with regard to the traffic in women and children (White Slave Traffic).
15	Steps in connection with the carrying out of the provisions of the Hague Opium Convention, the Netherlands Government desiring to pass on the special responsibilities imposed on it to the League.
16	The establishment of a permanent organisation to deal with communications and transit questions falling within the sphere of the League under the Treaty of Versailles.
17	Tribunal for the settlement of differences referred to in Articles 336, 337, 376 and 386 of the Treaty of Versailles and the corresponding articles of other treaties.
18	Passports for members of the Secretariat.
19	Question of an Economic and Financial Organisation (with reference to the Report of the Brussels Conference).
20	Claim of India to be represented on the Governing Body of the International Labour Office. Three further subjects were subsequently referred to Committee No. II., viz., (a) Children in countries affected by the war; (b) "International Language"; (c) "The organisation of Intellectual Labour."

Referred to Committee No. II.

Referred to Committee No. III.

21 Establishment of a Permanent Court of International Justice at the Hague.

Financial Arrangements.

22	The staff and organisation of the Secretariat.
23	The first and second budgets of the League (running up to the end of 1920).
24	Provisional estimates for the 1921 budget.
25	Future method of apportionment of the expenses of the League.

Referred to Committee No. IV.

Item No.	Subject
Referred to Committee No. V.	26 . Admission of fresh States to the League.
Referred to Committee No. VI.	27 Reduction of armaments.
	28 Preparations required for the use of the "economic weapon" of the League in case of necessity (see Article XVI. of the Covenant).
	29 Mandates (with special reference to the responsibilities of the League under Article XXII. of the Covenant).

5. Sir William Meyer represented the Indian Delegation on Committees Nos. II. and VI., H. H. the Maharaja Jam Saheb of Nawanagar on Nos. IV. and V., and Sir Ali Imam on Nos. I and III.

6. Each of the six Committees appointed its own Chairman and Vice-Chairman, the Chairmen becoming *ex officio* Vice-Presidents of the Assembly. The selections were as follows :—

Committee No. I. :—Chairman, Mr. Balfour ; Vice-Chairman, Mr. Wellington Koo (China).

Committee No. II. :—Chairman, M. Tittoni (Italy) ; Vice-Chairman, M. Thomas Jonnesco (Rumania).

Committee No. III. :—Chairman, M. Léon Bourgeois (France) ; Vice-Chairman, M. Affonso Costa (Portugal).

Committee No. IV. :—Chairman, M. Quinones de Léon (Spain) ; Vice-Chairman, Dr. F. J. Restrepo (Columbia).

Committee No. V. :—Chairman, M. Antonio Huneeus (Chile) ; Vice-Chairman, Dr. Juan Carlos Blanco (Uruguay).

Committee No. VI. :—Chairman, M. Branting (Sweden) ; Vice-Chairman, Dr. A. De Agüero y Bethancourt (Cuba).

M. Tittoni having had to return to Rome a few days after the Assembly met, his place in the chair of No. II. Committee was occupied by the Vice-Chairman.

7. The Assembly likewise elected six general Vice-Presidents, *viz.* :—

Viscount Ishii (Japan). M. E. Benes (Czecho-Slovakia).

Jonkheer van Karnebeek (Netherlands). Sir George Foster (Canada).

M. H. Pueyrredon (Argentina). M. R. Octavio (Brazil).

M. Motta, as President of the Swiss Federation, was also elected an Honorary President.

The regular and honorary Presidents, the six general Vice-Presidents, and the six Chairmen of Committees composed the General Committee of the Assembly.

8. Having disposed of these formalities, the Assembly settled down to a general debate on Item No. 6 of its programme, the General Report on the work of the Council. The speeches wandered at large over the whole field of the Report, and the debate was not finished till 20th November.

9. The Assembly sessions were public. As regards the Committees, it was decided, after a certain amount of discussion, that the public should not ordinarily be admitted, but that minutes should be kept of the Committee's proceedings, which should be published as soon as possible, and should be at any time accessible to any delegate to the Assembly. (See Appendix II., Resolution No. 1.) Committee No. VI. held some public meetings.

Matters dealt with by Committee No. I.

(A) Rules of Procedure (Item 7).

10. The Committee appointed a sub-committee of seven delegates to deal with this question. The draft prepared by this sub-committee was submitted to the Assembly, with a Report from the main Committee, on 30th November,

The draft rules were discussed and approved with certain slight amendments, and the Rules of Procedure as adopted are printed in Appendix V. (Annex 1). A summary of the covering Report of the Committee is printed in Appendix III. (Annex 1).

11. The following are points of special interest :—

(1) The Assembly will ordinarily meet every year on the first Monday in September (a much better time than November-December as far as climate is concerned), and a special meeting can be held on the demand of a majority of the Members of the Council or of the League. As regards the regular yearly meetings, Viscount Ishii stated in the discussion that, in view of Japan's distance from the seat of the League, she would have preferred biennial intervals.

(2) The budget for the ensuing fiscal year and the accounts for the preceding one must be submitted annually for the approval of the Assembly, which will consider them after they have been examined by a special Committee. The Assembly, through this Committee, will carry out all the duties of financial supervision which normally belong to a Parliamentary body.

This proposition, which rests on the authority of the Report of Committee No. I., but is not fully embodied in the rules, recognises the primary authority of the Assembly in matters of finance.

(3) Rule 16 (paras. 2, 4 and 5) resulted from a consideration by the sub-committee of the question of the use of Spanish as an official language, which was desired by the Spanish-American Republics and Spain. The sub-committee considered that the admission of Spanish as a third official language would open the way to other claims, but that there was no objection to delegates speaking in any language (if they provided for their interpretation into English and French), or to the circulation of documents by the Secretariat in any language outside French and English at the expense of the Delegation which might request such action.

(B) *Amendments to the Covenant (Item 8).*

12. Certain amendments had been proposed by the Danish, Norwegian and Swedish Governments, which would provide *inter alia* that Conciliation Committees should be set up, under Articles XII. and XV. of the Covenant, to investigate disputes between nations which are likely to lead to a rupture, but which are not submitted to arbitration; also that the four non-permanent Members of the Council of the League should be elected yearly by the Assembly; and that the Council might exempt from the obligation of non-intercourse with a covenant-breaker, imposed by Article XVI., any States for whom it might entail serious danger.

In the Committee, M. Viviani (France) opposed the amendments on the principle that the first Assembly should take no action which might appear to reverse the decisions embodied in the Treaty of Versailles. Viscount Ishii (Japan) and Mr. Balfour also opposed them, and the Committee decided by 20 votes to 8 that they should not be considered; the minority was composed of Argentina, Cuba, the Netherlands, Panama and Siam, as well as the three Scandinavian States. The Committee, however, subsequently accepted a proposal made by the Netherlands delegate, that the Council should be requested to appoint a special Committee to study the proposed amendments and report, and that the Council should then bring the matter before the Assembly at its next session.

13. The Assembly, at its meeting of 2nd December, accepted this conclusion, with the addition, suggested by M. Costa (Portugal), that any other project of amendment made by any Member of the League should also be referred to the special Committee if submitted within a period to be fixed by the Council (see Appendix II., Resolution No. 10). The Council has fixed 31st March 1921 as the last date for the receipt of proposals.

14. This solution was regarded as unsatisfactory by the Argentine Delegation, which was contemplating the submission to the Assembly of a motion proposing various ambitious amendments to the Covenant, including a scheme for the automatic admission to the League of all States recognised by the Community of Nations which are not unwilling to join it. As there

was no prospect of getting this motion adopted forthwith, the Argentine Delegation thereupon withdrew from Geneva. In a letter announcing this step, which was read at the Assembly's meeting of 6th December, they explained that they considered that amendments of the character which they proposed should be taken up at once as vital to the League, and that in view of the Assembly's decision that amendments of the Covenant should not be considered at its present session, they considered their mission at an end. This attitude gave rise in some outside quarters to the misapprehension that Argentine was withdrawing from the League. This was, of course, not the case; she would have to give two years' notice for that (Article I. of the Covenant).

15. Notwithstanding the withdrawal of the Argentine Delegation, their motion (the principles of which the Chilean Delegation supported) was regarded as still in existence. There was also a Canadian proposal to strike out Article X. of the Covenant, which guarantees the territorial integrity and political independence of Member-States against external aggression. Both motions were referred to the special Committee on Amendments to the Covenant (see Appendix II., Resolution No. 11).

(C) *Relations between, and respective competence of, the Council and the Assembly (Item 9).*

16. The Committee appointed M. Viviani (France) and Mr. Rowell (Canada) *rapporteurs* on this subject. Their Report is printed in Appendix III. (Annex 2). Like Mr. Balfour, whose previous report to the Council on the subject was laid before the Assembly, the *rapporteurs* deprecated any attempt to stereotype the relations of the two organs of the League. They held that the two bodies are independent, and that where certain powers have been expressly assigned by the Covenant to the Council, the Assembly has no right of intervention, and *vice versa*. Where there is no discrimination, *i.e.*, if mention is made of both bodies (as in Articles III. and IV.), or only of the League of Nations, both Council and Assembly may be looked on as having concurrent jurisdiction. The Report also observes that certain matters referred to in the Covenant (*e.g.*, in Article XXIII.), are not within the full competence of the organs of the League, but require the concurrence of the Governments concerned in the form of International Conventions (see para. VIII. of the Report).

17. The Report was adopted by the Committee, and was debated in the Assembly on 6th December. In this debate the following were the chief points of interest:—

(1) M. Spalaikovitch (Serb-Croat-Slovene State) proposed that, among the powers to be mentioned as appertaining to the Council, a reference should be made to that of adding to the number of (a) permanent and (b) elected Members of the Council, subject to the approval of a majority of the Assembly (Article IV. of the Covenant). The inclusion of a reference to Article IV. of the Covenant was agreed to.

(2) On the proposal of Lord Robert Cecil it was decided to add a passage to the Report [para. X., clause (a)] to the effect that the Council and the Assembly were each of them competent to discuss and investigate any matter which was within the general competence of the League.

(3) ~~Sir William Meyer~~ drew attention to the omission from the Committee's Report of any mention of the Assembly's prerogative in matters of finance, and said that he presumed that this was regarded as sufficiently covered by the Report of the Committee on the Rules of Procedure [see para. 11 (2) above]. It was agreed that this was so.

(4) ~~Sir William Meyer~~, supported by ~~Sir Ali Imam~~, then proposed that if a matter was constitutionally within the full competence of the Council, but had been referred by the Council to the Assembly, the latter should be competent to suggest, for the consideration of the Council, any amendments to the Council's proposals that it might think desirable. Such a case arose later on the question of Mandates (see para. 144 *infra*). We did not press this to a division as it was agreed by Mr. Rowell that the course indicated should be adopted in practice.

(5) M. Politis (Greece) made two proposals: firstly, that when the Assembly was in session the Council should not deal with any matter within the competence of both bodies without previous reference to the Assembly; and secondly that the Assembly (except during its sessions) should have no power to reverse or modify a decision which falls within the competence of the Council, i.e., the general competence of the Council, and not merely its "exclusive" competence as provided in para. X., clause (b), of the Committee's Report. The object was apparently to regulate the overlapping jurisdiction of the two bodies by making the Assembly supreme during its sessions, and the Council at all other times, in matters lying within the competence of both. The first of these proposals was withdrawn, while as regards the second Mr. Doherty (Canada) pointed out that this would now have the effect of barring the Assembly from ever discussing any matter which the Council was competent to deal with, including matters in which the Covenant gave concurrent jurisdiction to both organs. In the end the question of para. X., clause (b) of the Report was referred back to the Committee, and at the next day's sitting it was decided to omit the whole clause. As will be seen by reference to the Report, clause (b) adds nothing to the principle already expressed in clause (a).

Subject to the modifications indicated above the Committee's Report was adopted (Appendix II., Resolution No. 13).

(D) *The method of selecting the four Members of the League to be non-permanently represented on the Council, and the first appointment of four such Members (Item 10).*

18. This matter was referred by the Committee to a sub-committee consisting of:—

Mr. Wellington Koo (China), Chairman.	Sir Ali Imam (India)
M. Usteri (Switzerland).	M. Politch (Serb-Croat-Slovene State).
M. Agüero (Cuba).	
M. Palacios (Spain).	M. Alvear (Argentine).
M. Munch (Denmark).	M. Struycken (Netherlands).

There were considerable differences of opinion in the sub-committee and these were reflected in the Report of the full Committee. This Report is printed in Appendix III. (Annex 3).

19. The proposals carried in the Committee—some of them by a very narrow majority—were as follows:—

(a) The mandates of Belgium, Brazil, Greece and Spain, which had been provisionally named in the Covenant as Members of the Council pending an election by the Assembly, were to expire on 31st December 1920.

(b) The appointment of States should be for two years; so that every year the Assembly would elect two States, by a separate and secret ballot for each. The two-year period had been suggested by Sir Ali Imam, and was carried by 14 votes to 13.

(c) On the present occasion, four States were to be thus elected, but two of these, to be selected by lot, were to hold office for a year only.

(d) The mandates of elected States were to date from the 1st January of the year following their election by the Assembly.

(e) The right of re-electing retiring States was to be subject to the condition that no State should hold office on the Council for more than four years at a time, and that outgoing States should not be eligible for further election till the lapse of a further period of four years.

(f) It was proposed by Mr. Wellington Koo that, at the coming election, three of the four nominees should be elected from European and American States, and one from Asia and the remaining parts of the world. Sir Ali Imam had supported this proposal, illustrating its desirability by the over-representation of Europe on the Governing Body of the International Labour Office. The proposal was carried in the Committee by 13 votes to 12.

(g) These provisions were to be regarded as matters of procedure within the meaning of Article V., para. 2, of the Covenant, so that they might be decided by a majority of the Assembly.

20. The discussion of these proposals in the Assembly on 11th December evoked differences of opinion on what may be called constitutional points. It was held by several delegates that—

(i) The matters dealt with covered important questions of principle and could not be relegated to "procedure."

(ii) The method of election, &c., proposed, limited the powers of future Assemblies and seemed to that extent incompatible with the provisions of Article IV. of the Covenant, which gave each Assembly power to elect "in its discretion" (*librement* in the French version); the proposal would therefore involve an amendment of the Covenant.

Mr. Balfour who, as chairman of Committee No. I., had presented its report, was evidently in personal agreement with these critics. Finally, as there seemed no possibility of attaining general agreement on the proposals as they stood, he made a very ingenious proposal which evoked general assent. It took the form of a Resolution and of a Recommendation (for the adoption of a Recommendation, unanimity is not considered to be requisite). The Resolution, reproduced in Appendix II. (Resolution No. 22), was to the effect that the four Members should be elected in 1920 for one year only, commencing 1st January 1921, and that the various proposals considered by Committee No. I., should be passed on to the special Committee which is to be constituted by the Council for considering amendments to the Covenant, so that the matter may come before the Assembly at its next session.

The Recommendation stated that it was desirable that in the forthcoming election for 1921 delegates should vote so as to secure the geographical distribution desired by Mr. Wellington Koo. This Recommendation was carried by 27 votes to 4.

21. On 15th December an election was held in accordance with the Resolution, separate ballots being taken for each place. 39 States took part in the voting. For the first place Spain was elected with 35 votes. For the second place Brazil was elected with 33 votes. On the first ballot for the third place no State had an absolute majority (which the procedure adopted required), but China led with 19 (i.e., only one short of a majority) and Belgium followed with 16 votes: on the second ballot, however, (between the two highest on the list) Belgium got a clear majority of 24. For the fourth place China received a majority (21 votes) on the first ballot.

Matters dealt with by Committee No. II. (Technical Questions).

22. These questions, 13 in all (see the list in para. 4 above) were referred to one Grand Committee (No. II.) which in view of their complexity and number had a heavy task imposed upon it.

We deal with these 13 subjects, not in the order in which they appear on the agenda, but in that in which (when in several cases subsequently grouped together) they were reported to the Assembly.

23. At the opening meeting M. Tittoni made a long statement of his personal views as to the functions of the League in the sphere of the questions referred to the Committee.

It is desirable to summarise this statement in order to explain much of what occurred in the subsequent proceedings of the Committee. He said that the League is called upon to perform a number of duties of an international character and of a technical order—such as those dealing with health, transit and communications, economic and financial questions. It is specially in regard to these questions that States may now be more disposed to renounce the individualistic point of view and to act in the general interest, since the results are more immediate. He instanced the International Labour Office as having increased the credit of the League in this direction. M. Tittoni then went through the agenda of the Committee, and with regard to the economic and financial duties of the League said that these might be grouped in two categories: those specially mentioned in the Covenant and in the Treaties of Peace, and those which the spirit of the Covenant, or circumstances, may suggest.

The League of Nations (he continued) had already organised the Financial Conference of Brussels. This Conference had adopted a resolution, among others, to convene a further Economic and Financial Conference, the main duty of which should be to create a permanent Economic and Financial Organisation. Meanwhile the Council, at its meeting at Brussels, had decided to establish a provisional Economic and Financial Committee, to pave the way for the permanent body and to consider practical means of carrying into effect the recommendations of the Brussels Conference, and give an opinion on such economic and financial questions as might arise. Among the latter was the question of raw materials and discrimination in prices; the Council had recognised the importance of this question and its urgency, and had recommended it for immediate examination by the Economic and Financial Organisation of the League.

Mr. Rowell (Canada) asked that it should be recorded in the minutes that he did not agree with certain points of view expressed by the Chairman. Mr. Rowell's views on these points were expressed in the course of the debate in the Assembly on the General Report on the work of the Council, during which he challenged the propriety of restricting the liberty of States in respect of their raw material. (At subsequent meetings of No. II. Committee Canada was represented by Sir George Foster.)

Rapporteurs on each of the ten items originally on the agenda were appointed as follows:—

No. of Question
on Assembly's
Agenda.

- (11) Relations between special technical organisations on the one hand and the Council and Assembly of the League on the other : M. Tittoni (Italy).
- (12) Establishment of a permanent Health Organisation (in accordance with Article XXIII. (f) of the Covenant) : Mr. G. N. Barnes (Great Britain).
- (13) The position in regard to typhus and other infectious diseases in Poland and the measures to be taken to combat them and prevent their spread : Dr. Fernando Perez (Argentina).
- (14) Supervision of the execution of agreements with regard to the traffic in women and children (in accordance with Article XXIII. of the Covenant) : Professor Thomas Jonnesco (Roumania).
- (15) General supervision over the execution of agreements with regard to the traffic in opium and other dangerous drugs (in accordance with Article XXIII. of the Covenant and at the request of the Government of the Netherlands) : Sir W. S. Meyer (India).
- (16) The establishment of a permanent organisation to deal with communications and transit questions falling within the sphere of the League (in accordance with Article XXIII. (e) of the Covenant and under the Treaty of Versailles and other Peace Treaties) : Jonkheer Loudon (Netherlands).
- (17) Tribunal for the settlement of differences referred to in Articles 336, 337, 376, and 386 of the Treaty of Versailles and the corresponding articles of other Treaties : Jonkheer Loudon (Netherlands).
- (18) Passports for members of the Secretariat : M. Politch (Serb-Croat-Slovene State).
- (19) Economic and Financial Organisation (with reference to the Report of the Brussels Conference and Article XXIII. (e) of the Covenant) : M. Ador (Switzerland).
- (20) Claim of India to be represented on the Governing Body of the International Labour Office : M. Lafontaine (Belgium).

Typhus (Item 13).

25. The first meeting in regard to typhus in Poland was adjourned because the Polish Delegate (M. Doermann) was not present, and also to enable the Committee to hear the Report of a Commission of Investigation which had

been despatched by the Council of the League to Poland with a view to reporting to the Assembly on its return. This Commission, consisting of Dr. Madsen, Director of the Serum Institute, Copenhagen ; Dr. Pottevin, Deputy Director, *Office International d'Hygiene Publique* (Paris) ; and Dr. Norman White, Chief Medical Commissioner of the Typhus Commission of the League of Nations—assisted by Dr. Rachman, Director of the Central State Epidemiological Institute, Warsaw—was heard at two public meetings of a sub-committee consisting of any member of the full Committee who wished to be present. The Report of the Commission is printed in Appendix V. (Annex 2).

26. Sir George Foster submitted the Report of the sub-committee (see Appendix III. (Annex 4) to the full Committee, together with a draft Resolution proposing that an urgent and immediate appeal should be made by the Assembly for adequate funds for prosecuting an effective campaign against epidemic disease, including typhus and cholera, in Eastern Europe, beginning with Poland as a centre ; and that the co-operation of the International Committee of the Red Cross and of the League of Red Cross Societies should be sought in this connection. Sir George Foster laid stress on the inadequate response as yet obtained to the appeal made to the various Governments, and to the fact that such sums as had been offered were sometimes hedged by conditions as to other States subscribing. Sir H. Llewellyn Smith, therefore (as temporary substitute for Mr. Barnes, who was the British representative on the Committee) moved and carried an addition to the draft Resolution to the effect that, pending response to the appeal proposed, an immediate beginning should be made with the campaign to the extent that the funds already promised permitted. He indicated that Great Britain would probably withdraw the condition she had previously attached to her offer of 50,000*l.*, viz., that three other countries should subscribe a like amount, and M. Hanotaux said that the French Government would probably also withdraw a like reservation which they had made.

27. In the course of discussion, proposals were made by the delegates of Cuba and Belgium to give a big loan or grant (it would come to the same thing) to Poland for typhus expenditure, the funds to be met by the League, but the general feeling was that this was not a matter in which League funds, as such, could properly be employed, and the speakers did not press their view to a vote.

28. The full Assembly at its sitting of 7th December discussed the Resolution submitted by Sir George Foster urging an immediate appeal for further funds, and that a beginning should be made as soon as possible with the money already available. This was passed, with an addition suggested by Dr. Nansen (Norway) that a special Committee of three should be appointed by the Assembly to examine further the question of funds and consider how their collection could be promoted. In the course of the debate His Highness the Maharaja Jam Sahab of Nawanagar made the speech which is printed in Appendix IV., Annex 1, and while pointing out that the epidemic did not threaten India, said that he hoped private subscriptions would be obtained from there and that he himself would put the matter before the Chamber of Princes.

29. Mr. Balfour announced the withdrawal of the condition previously attached to Great Britain's contribution of 50,000*l.*, and referred to in para. 26. The representatives of various States which had already promised to subscribe to the fund, e.g., Spain, Greece and Persia, proclaimed their good deeds, and Mr. Wellington Koo (China) announced that his Government would now subscribe 2,000*l.*

30. As the Resolution puts the matter on a purely voluntary footing, India retains perfect liberty not to subscribe, in view of the reasons stated by the Government of India in their telegram of 12th November 1920, which you communicated to the Indian Delegation, viz., that the partial failure of the monsoon makes it necessary to conserve all their financial resources.

It has, however, been suggested to you by Sir William Meyer, on behalf of the Indian Delegation, that it might now be expedient for the Government of India to make a small donation, which need not exceed, say, 3,000*l.*

Technical Organisations (Items 11, 12, 16, 17, and 19).

31. A combined Report was ultimately made by the Committee to the Assembly on Items Nos. 11, 12, 16, and 19 of its Agenda, *i.e.*, on the general question of the relations of technical organisations to be set up by the League to its two principal organs, and on the separate questions of setting up such organisations to deal with matters of Health, Communications and Transit, and Economic and Financial questions: the subject of the settlement of certain disputes (Item No. 17) was also included in this Report.

M. Hanotaux (France) was at a later stage in the Committee's proceedings appointed general *rapporteur* for this group of subjects, being assisted by the special *rapporteurs* originally appointed for each item. His Report (which was the outcome of prolonged discussions in Committee) will be found in Appendix III. (Annex 5) in the shape in which it was submitted to the Assembly.

Relations of Technical Organisations to the Council and Assembly (Item 11).

32. The Resolution on this subject as it appears in M. Hanotaux' Report was passed without much difficulty by the Committee.

Economic and Financial Organisation (Item No. 19).

33. The discussion in the Committee on the proposed setting up of an Economic and Financial Organisation commenced at the third meeting on 22nd November and was not concluded till the sixth meeting on 29th November.

The only matters referred by the Assembly to the Committee were (i) a proposal made by the Council in a Resolution dated 27th October 1920 to summon during 1921 a general Economic and Financial Conference with a view to the organisation of a Standing Economic and Financial Committee; and (ii) certain action already taken by the Council, under a Resolution of the same date, to form a limited provisional Committee on economic and financial questions to advise the Council pending the creation of the definite organisation contemplated.

34. The discussion on this limited reference commenced with an attempt made by MM. Tittoni (Italy) and Ador (Switzerland) to pass through the Committee, at the end of a lengthy sitting, a series of Resolutions, put forward by M. Ador, which would have committed it to lending definite support to a proposal previously made by M. Tittoni elsewhere, that measures should be taken, under cover of Article XXIII. of the Covenant, for examination of steps for controlling the distribution of raw material, *i.e.*, for limiting the ability of States which produce such raw materials to fix their own prices for it, and preventing them from showing favouritism to particular countries. M. Tittoni's idea was that advantages created by special possession of valuable raw material should, as far as possible, be neutralised for the benefit of the whole world. This appeared to be primarily aimed at prices which had been charged by Great Britain for exported coal, but as a general proposition it would, of course, affect India also, *e.g.*, in respect of her jute and raw cotton.

Sir William Meyer protested against mixing up in the draft Resolutions matters which had been clearly recommended by the Financial Conference at Brussels—the peg on which MM. Tittoni and Ador had hung their proposals—and Resolutions which were merely disputable inferences from the Brussels proceedings or ideas of M. Ador's own, and it was decided to adjourn discussion so that in the meantime M. Ador might separate his Resolutions in accordance with this criterion.

This meeting of the Committee was the last at which M. Tittoni was present.

35. At the next meeting M. Ador produced an entirely revised set of draft Resolutions, three in number, which were under discussion at this and subsequent meetings. The first of these merely endorsed the proposal of the Council regarding a general Economic and Financial Conference referred to in para. 33 (see first Resolution as printed in M. Hanotaux' Report*).

The second Resolution was on the face of it innocent. It merely asked the Assembly to say that, having noted the Resolution taken by the Council at its meeting at Brussels on 27th October, and completely sharing its opinions, it

considered it indispensable that the Economic and Financial Committee (by natural inference the provisional one referred to in para. 33) should continue its work without delay in the manner indicated by the Council.

- But from an *expose* given by M. Ador, it turned out that what he had in view was not the Council's Resolution in regard to the appointment of a provisional Committee, but quite another one of the same date, not communicated to the Assembly, which read as follows :—

“The Council has fully considered the difficulties experienced by numerous countries in assuring the import of raw materials essential to their welfare and even to their existence, and has requested the Economic Section of the Economic and Financial Committee to study :—

(a) the extent and nature of their requirements ;

(b) the causes of these difficulties (other than those arising from the lack of credit or fluctuation in the rate of exchange, which have already been considered by the Brussels Conference) ; the effects of the existence of monopolies will be very specially considered.

“The Council invites the Committee to submit to it at the earliest possible moment a report on the results of its enquiry—a report which is indispensable for the further deliberations of the International Economic and Financial Conference.”

And it was this action which the Committee, and through it the Assembly, were asked emphatically to support.

36. Sir William Meyer took exception to this on the following grounds :—

(1) The Resolution of the Council, which M. Ador had referred to, had not been communicated to the Assembly or the Committee.

(2) M. Ador contended that the matter was covered by Article XXIII. (e) of the Covenant, but this contention was not sustainable. The words “equitable treatment for commerce” in this article had, from the context, obvious reference to freedom of communications and transit, and to the interests of the devastated regions.

(3) If, as was contended, Article XXIII. (e) could be specially applied to raw materials, why should it not also be applied to tariffs, which likewise limit full freedom of trade ? Nobody, however, would propose to limit the autonomy of States in regard to their tariffs in the way in which M. Tittoni, who had inspired M. Ador, evidently desired to limit the sovereignty of States in regard to their raw material, and to require those who possessed such material to consent to rationing.

(4) In the case of India, she received some compensation from nature for a climate unfavourable to productive energy in the existence of her jute monopoly, but she had exercised this with great moderation. India would have no fear of a general enquiry in regard to the world's raw material situation, but she could not assent to action which might result in interference with her fiscal policy.

Sir William Meyer was supported by the Dominions representatives, Sir George Foster asking emphatically whether it was really supposed that the United States could be dictated to in regard to its cotton.

37. M. Ador, on the suggestion of the Australian representative and Sir William Meyer, consented to cut out the words “completely sharing its opinions” which would have committed the Assembly to full participation in the Council's views.

Mr. Barnes further suggested that the draft Resolution should be amended by words which would merely connect it with the action of the Council in regard to the establishment of the Provisional Economic and Financial Committee. M. Ador at first expressed his willingness to accept this, but later on, when he found that some speeches were being made which were favourable to his original proposal, he withdrew this assent and went back to his intention of referring to the special Resolution of the Council in regard to raw material. His second Resolution was then carried by a large majority.

38. With a view to avoiding controversial discussion later on in the Assembly on the question of raw material (in which the British Empire might

have been opposed by France as well as Italy), private negotiations were undertaken with M. Ador to endeavour to persuade him to put his second Resolution in a form so non-committal as to eliminate dissent, and at the next meeting of the Committee (29th November) M. Hanotaux, who had shown himself quite friendly to us, moved, in order to avoid any misunderstanding that the following should be added to M. Ador's second Resolution passed at the previous meeting :—

“ It is understood that the present Resolution has been passed as an interpretation of Annex I. (a) of the Report of Mr. Bourgeois to the Council, dated 27th October 1920.”

Annex I. (a) of the Report in question is the Resolution of the Council setting up a provisional Committee. This rider to the Resolution was accepted by the Committee, and the matter was thus brought back to the position which Mr. Barnes had tried to obtain at the previous meeting and to which M. Ador had then objected.

39. At the same meeting M. Ador's third Resolution, which expressed agreement with the views set forth in the Council's note addressed to the various Governments with reference to the decisions of the Brussels Conference and insisted on the urgent necessity of national wealth being employed in a productive manner, was carried, while a further clause, which invited the various Governments to reduce their military expenditure as soon as possible, was passed on separately to Committee VI., which was dealing with the question of armaments.

Communications and Transit (Item 16).

40. The Resolution on this subject, in the form in which it was adopted by the Committee, will be found in M. Hanotaux' Report.* It was introduced in the Committee by Jonkheer Loudon (Netherlands), and was based, with some minor differences, on the Resolution of the Council of 19th May 1920.

Some discussion took place in Committee on para. 1 (3) of the draft Resolution regarding the making of special rules and regulations in arranging for subsequent meetings of the proposed Conference. In the original Council Resolution these rules and regulations required, in order to obtain validity, acceptance by all the representatives of the Members of the League represented on the Council, and by two-thirds of the other States. Under the Committee's Resolution, subsequently accepted by the Assembly, they are to be adopted by two-thirds of the representatives of the Members of the League, the requirement of unanimity on the part of Members represented on the Council being dispensed with. This was in accordance with the view expressed by Sir William Meyer, that, while the unanimous agreement of the States represented on the Council might be necessary in questions of high policy, it would be undesirable to introduce such a requirement in other matters.

41. Sir William Meyer likewise secured the insertion of provisions (1) that Geneva (where the League has office accommodation and establishments) should be the place of the Conference's meetings (subsequent to the first, which is to be held at Barcelona), unless the Council for special and exceptional reasons decide otherwise; and (2) that the headquarters of the proposed Standing Communications Committee should also be at Geneva. The Committee also adopted a proposal made by M. Ferraris (Italy) that the Council should be responsible for convening subsequent meetings of the Conference.

These were the only amendments other than verbal changes made in the draft Resolution as introduced.

42. The paragraph in the Council's Resolution which dealt with the composition of the Standing Committee was held over and dealt with separately in the manner which we describe later on.

43. Mr. Barnes proposed to add to para. 1 (2) of the draft Resolution a clause inviting the Conference to “ take such steps, if any, as it may think expedient to consult with representatives of any State which, though not a Member of the League of Nations, will be directly affected by any Conventions that may eventually be adopted.” This clause was not incorporated in the draft Resolution, but was recorded in the minutes as a recommendation of the Committee.

Settlement of disputes regarding certain Waterways, etc., under Articles 336, 337, 376 and 386 of the Treaty of Versailles and corresponding Articles of other Treaties (Item 17).*

44. In the Resolution adopted by the Committee on this subject (given in M. Hanotaux' Report*) the number of members of the Court of Arbitration, proposed in the Memorandum by the Secretary-General which was before the Committee, was reduced on the motion of Sir Hubert Llewellyn Smith (acting as substitute for Mr. Barnes) from five to three.

Health Organisation (Item 12).

45. The scheme covered by the Council's Resolution of 3rd August 1920 was considered by the Committee, and accepted by it with certain amendments (see M. Hanotaux' Report†). The following were the principal amendments introduced :—

(1) The functions of the Organisation under heading (b) are to confer and co-operate "with international Red Cross Societies and other similar Societies," instead of "with the League of Red Cross Societies." As was pointed out by the delegates of Persia and India, the clause as amended will include "similar Societies" in Muhammadan countries.

(2) The function of organising "missions in connection with matters of health at the request of the League of Nations" was limited, on Sir William Meyer's proposal, by the addition of the words "and with the concurrence of the countries affected."

(3) An amendment by M. Hanotaux fixed the meeting-place of the General Committee definitely at Paris.

(4) With regard to a clause in the Council's scheme that "the official languages of the International Health Section shall be French and English," Dr. Restrepo (Columbia) appealed to his British colleagues to agree to the omission of English, quoting the example of the Spanish-speaking delegates in the Assembly who had sacrificed their desire for Spanish as an official language of the League. Dr. Restrepo was not satisfied by a jocular suggestion that Latin should be adopted as a suitable language for the subject, and in the end it was decided to omit any reference to an official medical language as otiose.

(5) Mr. Barnes and M. Hanotaux secured an amendment providing for consultation, in relevant cases, with the Economic and Transit Organisations of the League, instead of with "technical trade experts" as proposed by the Council, in the framing of draft Conventions.

(6) Another amendment of M. Hanotaux, slightly modified (with his consent) by Sir William Meyer, provides for the submission of such draft Conventions by the Council of the League to the Governments concerned for signature, if they approve, by plenipotentiaries "without further examination." M. Hanotaux insisted on the last three words as necessary to avoid prolonged delays.

(7) The last two paragraphs under the head of "Conventions" in the Council's scheme were, on Mr. Barnes' proposal, omitted as superfluous; these paragraphs related to action by the Standing Committee in the event of a representative on the General Committee failing to submit certain reports as to the measures taken in his country to carry out a Convention.

(8) Under the head of "Expenses," an amendment proposed by M. Hanotaux was adopted limiting the League audit of the expenditure of the *Office International d'Hygiene Publique* to sums provided by the League.

(9) The paragraph in the Council's scheme regarding the composition of the Standing Committee was held over for separate consideration.

Composition of Standing Committees on (a) Communications and Transit, (b) Health.

46. The Council's proposals as to the constitution of these Committees were in the following sense :—

(a) *Communications and Transit Committee.*

This Committee should consist of one representative each of States which are permanently represented on the Council (*i.e.*, four in all), and of eight members selected in a manner to be determined by the Conference.

(b) *Health Committee.*

This should consist of (a) four members from the States permanently represented on the Council of the League of Nations; (b) four members elected by the General Committee which represents all States (*see* M. Hanotaux' Report, page 69 *infra*); (c) the President of this General Committee; (d) a representative of the League of Red Cross Societies; and (e) a representative chosen by the Governing Body of the Labour Organisation as being closely concerned with health questions.

47. A proposal had been circulated by the Argentine Delegation that the representation on the Standing Committees of all the technical organisations should be distributed on a purely geographical basis, running to a total of 17 or 18 representatives. Sir William Meyer pointed out that the number of representatives thus proposed (to which Chile proposed to add five) would make the Committees unnecessarily large, and that rigid distribution between Continents would not be easy to carry out. He accordingly suggested that the Committees should be constituted in the manner proposed by the Council, except that the number of delegates on the Standing Health Committee who were to be elected by the General Committee should be eight instead of four, so as to give the same proportion of representatives of secondary States to those of the Great Powers as in the case of the Transit Committee; and he also proposed that in selecting representatives other than those of the Great Powers, due regard should be had to geographical representation.

48. The Argentine proposal, in the absence of the Argentine delegate, was defended by Venezuela, but was rejected, and Resolutions as to the composition of the Committees were adopted by Committee No. II. in the following form:—

Standing Committee on Communications and Transit.

“ This Committee shall consist of members nominated by those Members of the League which are permanently represented on the Council, in the proportion of one member by each of those Members of the League, and also of eight members, selected in a manner to be determined by the Conference, having regard, as far as possible, to technical interests and geographical representation.”

This was slightly modified by the Assembly (*vide* para. 54 *infra*).

Standing Health Committee.

“ The Standing Committee shall consist of delegates of the States permanently represented on the Council of the League of Nations, five members elected by the General Committee) having regard to their scientific attainments and to geographical representation); the President of the General Committee; a representative of the League of Red Cross Societies, and a representative chosen by the Governing Body of the Labour Conference.”

Thus a provision as to geographical representation was inserted in each case.

49. As regards the Health Resolution, Sir William Meyer agreed to the number of representatives of secondary States being fixed at five instead of eight, in view of the general feeling that if their number were in excess of five, the Committee would be unduly large, as three special members had also to be included.

It may be added that Sir William was at first inclined to challenge the necessity of a special representative of the Labour Organisation, but withdrew his opposition on its being explained that there had been a *concordat* to this effect, to obviate independent action on Health questions by the Labour Office.

Expenditure on Technical Organisations.

50. The aggregate provisions in the original budget and in the supplementary estimates for the Economic and Financial, the Communications and Transit and the Health Organisations were 2,070,000 gold francs. Sir William Meyer submitted a Resolution to Committee No. II. (which that Committee adopted) in

favour of reducing this to a collective maximum of 2,000,000 gold francs, and allowing no increase of expenditure beyond this total without the special and previous sanction of the Assembly, but giving the Council, for the year 1921, power of reappropriation between one head or sub-head and another : any sums unspent from the total allotment were to lapse to the general funds of the League. The object was to prevent the Secretariat or the special organisations from plunging into expenditure which the Assembly might later on be obliged to pass as having been actually incurred.

This Resolution was passed on to Committee No. IV. which was dealing with the League's budget, but no action was ultimately taken upon it by that Committee, it being argued, when the budget Report came before the Assembly, that the requisite check had been independently provided (*vide para. 110 infra*).

Action of the Assembly on M. Hanotaux' Report on Technical Organisations.

51. At their meeting of the 8th December, the Assembly discussed the Report of M. Hanotaux embodying the proposed Resolutions of No. II. Committee in respect of the Assembly's Items 11, 12, 16, 17 and 19—covering the general relations of Technical Organisations to the Council and Assembly, and specific recommendations in regard to the Health, Communications and Transit, and Economic and Financial Organisations.

Mr. Rowell (Canada) attacked the policy of the Report, holding that the Resolutions there contained, envisaging constant Conferences and the setting up of expensive permanent organisations, were not only inexpedient in themselves from the point of view of expense, but were in disaccord with the provisions of Article XXIII. of the Covenant. He interpreted this Article as contemplating the establishment of international Conventions prior to action in the matters with which it deals. Mr. Rowell was supported by Senator Millen (Australia), while M. Hanotaux and M. Ador replied that the organisations were merely consultative bodies which did not affect the ultimate rights of the component States of the League or the control of the Assembly in matters of finance. Moreover, matters could not be put in train for Conventions without much preliminary spade-work and consultation.

It was finally decided, on the proposal of Lord Robert Cecil, that there should be an informal conference between Mr. Rowell and those who were with him, on the one side, and some of the members of Committee No. II. on the other.

52. This Conference, in which Lord Robert Cecil took part, and at which Sir William Meyer was present, was held that evening. It was felt desirable to abstain, as far as possible, from discussion of the exact interpretation of Article XXIII. of the Covenant, and that the real points in issue were (a) the expense and (b) the character of the organisations which the Council, and Committee No. II in agreement with the Council, proposed to set up.

As regards the former the Canadian delegates expressed themselves satisfied with the principle of the Resolution (referred to in para. 50) which had been adopted by Committee No. II. that afternoon.

53. On the other point it was finally agreed that—

- (1) As regards both the Economic and Financial, and the Communications and Transit, Organisations, the terms "Permanent Organisation" and "Permanent" or "Standing Committee" should in all cases be replaced by "Advisory Committee."
- (2) There should be no date specified for the meeting of the Economic and Financial Conference, which had previously been contemplated for 1921.
- (3) The Resolutions regarding the Health Organisation need not be greatly modified.

54. At the Assembly meeting of 9th December proposals (1) and (2) above were put and accepted, and the Resolutions thus amended were unanimously carried, subject to the acceptance of an amendment proposed by the Chilean Delegation as regards the composition of the Advisory Committee for Transit. The composition recommended in M. Hanotaux's Report was four representatives of the Great Powers permanently represented on the Council, and eight representatives of other States selected with regard to technical interests and

geographical representation. The Chilean amendment was to strike out the specific number eight, and to substitute a provision that, including the representatives of the four Great Powers, the total number of the Committee should not exceed one-third of the Members of the League. The Resolution, as passed by the Assembly, regarding the composition of the Advisory Committee on Communications and Transit is accordingly as follows :—

“ This Committee will be composed of members appointed by the Members of the League represented permanently on the Council, one representative for each of those members, together with members to be appointed as determined by the Conference, taking into account as far as possible technical interests and geographical representation. The total number of members of the Committee shall not exceed one-third of the Members of the League.”

As things are at present, this does not make much difference, but if the League materially expands by the adhesion of fresh States, it will mean a further increase in the size of the Committee. On the other hand, it will temper more fully the *ex-officio* representation of the Great Powers.

55. In connection with the Resolution on the Economic and Financial Committee, there was some reference by M. Ador (Switzerland) and M. Schanzer (Italy) to the question of raw materials, but there was nothing to which objection could be taken, as it was admitted by the speakers that for the present the matter must be left in the hands of the provisional Economic Committee set up by the Council, and that Committee is not likely to raise thorny points.

56. The remaining portion of the General Report of Committee II. on Technical Organisations—that dealing with Public Health—was discussed on 10th December, and the Resolutions proposed were passed by the Assembly, subject to slight modifications, including the substitution of “ Standing Committee ” for “ Permanent Committee.”

Here also the Chilean Delegation had proposed an amendment of the same character as that mentioned in para. 54. But this was withdrawn, and the text of M. Hanotaux's Report and Resolutions, as previously amended, was declared finally carried (Appendix II., Resolutions Nos. 14—20, of the Assembly).

Special Technical Questions.

57. A collective Report was submitted to the Assembly by Committee No. II. on Items 14, 15, and 20 (traffic in women and children ; traffic in opium and other dangerous drugs ; and the claim of India to be represented, as a State of chief industrial importance, on the Governing Body of the International Labour Office). This Report was presented by M. Jonnesco as general *rapporteur* assisted by the special *rapporteurs* who had been appointed to deal with each of the separate items in Committee.

58. The first of these questions to be dealt with by the Committee was that of India's claim in regard to the Labour Office. M. Lafontaine (Belgium), in his Report to the Committee, took the ground that, as the question at issue was one for the decision of the Council under Article 393 of the Treaty of Versailles, the Assembly had no *locus standi* in the matter. Sir William Meyer gave an exposition of the reasons for which India claimed that the Governing Body of the Labour Organisation was not properly representative, and that her appeal had not been adequately considered by the Council, which had dealt with it on technical considerations and had refrained from giving a decision on the merits of the case. He recognised that the Assembly, and consequently its Committee, could not override the Council (for which reason he did not propose to move a formal Resolution in the Assembly), but he asked for consideration of the case on grounds of equity, and expressed the hope that, from this point of view, the result might be a suggestion to the Council to consider the matter further and to take steps to satisfy India's legitimate aspirations, either by putting her in the place of Denmark as substitute for the United States, or, preferably, by getting the Governing Body (which we regarded as illegitimately constituted and as discredited by the vote of censure passed on its composition at Washington) to resign office in time for a new body to be appointed for the Conference of 1921.

59. The Committee, however, passed the following Resolution :—

“ In view of the terms of Article 393 of the Treaty of Versailles, which reserves for the Council of the League of Nations the right to decide on any

questions as to which are the Members of the International Labour Organisation of chief industrial importance who should figure on the Governing Body of the International Labour Office, the Committee is of opinion that the Assembly of the League of Nations is not competent to deal with India's claim."

Sir William Meyer thereupon took the only course still open (outside ventilating the matter once more in the Assembly itself when the Committee's Report came before it) by stating that India would now have to consider the question of opposing the growing expenditure of the Labour Organisation, and of asking for a reconsideration of the unjust position by which she is rated as a first-class Power for contribution to the League's expenses and denied this position when it comes to any privilege such as representation on the Labour Governing Body.

Opium and other dangerous drugs.

60. This question had been placed on the Agenda at the request of the Netherlands Government. Under Article XXIII. (c) of the Covenant the League is entrusted with the general supervision over the execution of agreements with regard to this matter. The question at issue was that of providing means for the discharge of such responsibility and of the transfer from the Netherlands Government of the functions vested in the latter by Articles 21 and 24 of the Hague Opium Convention.

Sir William Meyer had been appointed special *rapporteur* on the subject and circulated a preliminary Report which was subsequently presented to the Assembly, and is printed in Appendix III. (Annex 6). He had feared that efforts might be made to get the Committee to go beyond the business before it, namely, how best to carry out at the present stage the provisions of the Hague Convention, and had had some previous conversation with a Chinese representative, Mr. S. Tchéou-Wei, who was at the time rather in favour of asking for further restrictive measures in regard to opium. But when it was pointed out to Mr. Tchéou-Wei what great progress had been made by the provisions of the Convention, and that we ought to see that these provisions were made realities before getting on to something further, over which there might at present be a difference of opinion, he accepted this point of view, and neither the Chinese nor any other delegate proposed to go outside the Convention limits.

61. In speaking on his preliminary Report in the Committee, Sir William Meyer pointed out two alternative ways in which the League could relieve the Netherlands Government of their duties under the Convention :—

- (a) by simply passing on those duties to the Council and the Secretariat ;
- (b) by giving them the assistance of a special Advisory Committee, representing the States most interested in the question.

As *rapporteur*, he left this matter to the decision of the Committee, but indicated a personal preference for the latter alternative, and pointed out that India should be included as one of the States specially interested. He also observed that we had to face the difficulty that the United States and Germany were not yet Members of the League (although they had ratified the Hague Convention, the United States independently, and Germany through the Treaty of Versailles), and if these States would not consent to pass on to the League direct the information which they were bound to furnish, they could send it to the Netherlands Government, which would in turn transmit it.

62. Mr. Barnes then moved a Resolution (the terms of which he had previously discussed with Sir William Meyer), and after discussion in the Committee it was passed subject to certain amendments. The text of the Resolution as thus passed, and subsequently adopted without further amendment in the Assembly, will be found in Appendix II. (Resolution No. 28). It will be seen that it proposed *inter alia* that an Advisory Committee be appointed by the Council to include representatives of the countries chiefly concerned, in particular the Netherlands, Great Britain, France, India, Japan, China, Siam and Portugal. The last named country was specifically included as the result of a statement, which the Portuguese representative, M. de Andrade, presented to the Committee and which is printed in Appendix V. (Annex 3).

Traffic in Women and Children.

63. In this matter also general supervision over the execution of agreements entrusted to the League by Article XXIII. (c) of the Covenant, and the question to be decided was that of the method by which the League should carry out its task.

M. Jonnesco was special, as well as general, *rappporteur* on this subject and produced draft Resolutions which required considerable re-shaping in Committee to make them practicable. In the end the Committee adopted the Resolution which is printed (as subsequently modified by the Assembly) in Appendix II. Resolution No. 27). It falls into two parts, the first dealing with the general question, and the second with the particular question of Armenian deportees, in regard to whom a special Commission of Enquiry is proposed.

As regards the general question, there is nothing in the Resolution, as adopted, which prejudices the maintenance (if so desired) of the decision adopted by India in 1914 not to be a party to the Convention of 1910.

Action of the Assembly on M. Jonnesco's Report on Items 14, 15 and 20 (Traffic in Women and Children, Opium, &c., and India's claim in regard to the Labour Office).

64. The debate on these items in the Assembly took place on 15th December.

Opium was taken first, and the Resolution submitted by the Committee was adopted without alteration (Appendix II., Resolution No. 28). The speech made by Sir William Meyer in presenting his special Report (Appendix III., Annex 6) is printed in Appendix IV. (Annex 2).

Mr. Wellington Koo (China) and Jonkheer Loudon (Netherlands) both spoke in favour of the Resolution, the former paying tribute to the enormous assistance which his country had obtained from Great Britain and India in dealing with the suppression of its opium consumption, and the latter mentioning that, in his view, in order to relieve the Netherlands Government of their obligations, it would be necessary to have a special protocol signed, since a slight modification of the existing Hague Convention was involved.

65. The debate on the traffic in women and children was made noteworthy by the first appearance of a lady speaker (Mlle. Forchhammer of Denmark) at the Assembly's tribune. The part of the Resolution on the subject which dealt with the question of Armenian deportees owed its origin to her, and she had grounded it on the provisions of Article 142 of the Treaty of Sèvres. Although the Treaty remains unratified, the Assembly adopted the Resolution (Appendix II., Resolution No. 27) with a modification extending the purview of the Commission of Enquiry to adjoining territories as well as to Armenia and Asia Minor. M. Zoka ed Dowleh (Persia) secured this modification.

66. Speeches were delivered in the Assembly by Sir William Meyer and Sir Ali Imam on the Report on India's claim to be represented as a State of chief industrial importance on the Governing Body of the International Labour Office. These speeches are given in Appendix IV. At the close of the debate Mr. Barnes observed that the claim of India had not been considered at Washington on its merits because India had herself refused to take part in the election of representatives of States outside the principal Powers to the Governing Body of the Organisation. But the Washington Conference had no power to decide India's claim to representation as of right, and refusal to stand for election was motivated by the fact that in India's view the proceedings in regard to the constitution of that body were irregular.

Passports for members of the Secretariat of the League.

67. This question had been raised under the fourth paragraph of Article VII. of the Covenant. When first discussed in Committee No. II. it had been referred to a sub-committee of four persons, including M. Hanotaux (France). This sub-committee produced a Report (see Appendix III., Annex 7) which is self-explanatory and was adopted by the Committee, and, on 15th December, by the Assembly (Appendix II., Resolution No. 29).

Supplementary Miscellaneous Subjects, viz.,

- (A) *Intervention on behalf of Children in Countries affected by the War.*
- (B) *An "International Language."*
- (C) *"Organisation of Intellectual Labour."*

68. These three subjects were referred to Committee No. II. in the course of the Assembly's proceedings, but, except in the case of the first, the Committee had not time to sift them adequately. They were discussed in the Assembly on the 18th December, the last day of the session.

(A) *Children in Countries affected by the War.*

69. The proposal referred to the Committee originated with the Swiss Delegation, and was in favour of the appointment by the Council of a High Commissioner to consider the best means of furthering and assisting all charitable work undertaken on behalf of such children.

Doubts were expressed in Committee on the value of this suggestion: it was held by the opponents of the idea that the appointment of a High Commissioner would give the matter an official aspect which would tend to discourage private subscriptions, and that it was believed that Mr. Hoover, who was specially interesting himself in collecting money in America, was not in favour of it. Objection was also taken to the prominent position assigned in M. Ador's explanatory statement to the International Committee of the Red Cross (of which he is the President), as opposed to the apparently more powerful League of Red Cross Societies.

Finally, after private discussion with a local representative of Mr. Hoover, the following Resolution was submitted to the Assembly:—

"The Assembly, being desirous of giving its support to the urgent work of rescuing children in the countries affected by the war, invites the Council to consider as soon as possible the means by which the moral authority of the League of Nations might best assist this work which is being done in the cause of humanity."

This was carried (Appendix II., Resolution No. 35).

(B) *An "International Language."*

70. A proposal presented by certain Delegations in favour of encouraging the study of Esperanto as an international language was rejected...

(C) *"Organisation of Intellectual Labour."*

71. A nebulous Resolution was proposed by the delegates of Belgium, Italy and Rumania, asking the Council to assist in the development of international co-operation in the domain of intellectual activity, and to present to the Assembly during its next session a detailed report on "the educational influence which it is their duty to exert with a view to developing a liberal spirit of goodwill and world-wide co-operation, and to report on the advisability of giving them shape in a technical organism attached to the League of Nations." The analogy invoked by M. Lafontaine (Belgium), who presented the Resolution, was the Labour Organisation. Mr. Barnes opposed on the ground that no attempt should be made to discriminate between manual and intellectual labour, that we had quite enough technical organisations at present, and that if and when intellectual labour is to be assisted, the Labour Office could take the matter up. Mr. Barnes was supported on a division by the other Empire Delegations, but the Resolution was carried.

Work of Committee No. III.

72. This was confined to questions relating to a *Permanent Court of International Justice to be established at The Hague.* (Item 21 of the Assembly's Agenda.)

The draft of a statute constituting the Court had been prepared by the Council in accordance with Article XIV. of the Covenant, on the advice of a committee of 10 jurists representing Great Britain (Lord Phillimore), the United States of America (Mr. Elihu Root), France (M. de Lapradelle), Italy (M. Ricci Busatti), Japan (M. Adatei), Spain (M. Altamira), Belgium (Baron Descamps), Brazil (M. Fernandes), the Netherlands (Dr. Loder), and Norway (Dr. Hagerup).

This Advisory Committee had prepared a draft, which, after certain important amendments, had been adopted by the Council at its Brussels meeting in October, and on being submitted to the Assembly, was remitted for consideration to Committee No. III.

For the examination of points of detail, Committee No. III. appointed a sub-committee consisting of 10 members, the first five of whom had been members of the Advisory Committee of Jurists, *viz.* :—

M. Adatei (Japan),	Mr. Doherty (Canada),
Dr. Hagerup (Norway),	Sir Cecil Hurst (Great Britain),
M. Fernandes (Brazil),	M. Fromageot (France),
M. Ricci Busatti (Italy),	M. Politis (Greece),
Dr. Loder (Netherlands),	Dr. Max Huber (Switzerland).

73. As regards matters of principle, the following decisions were arrived at by the Committee :—

The Question of Compulsory Jurisdiction.—The right of compulsory jurisdiction was contemplated by the advisory committee of jurists in certain classes of cases. Article 34 of their draft contained the words :—

“ Between States which are Members of the League of Nations the Court shall have jurisdiction (and this without any special Convention giving it jurisdiction) to hear and determine cases ”

The Council's amendments to Articles 33 and 34 of the jurists' draft were as follows :—

Article 33. “ The jurisdiction of the Court is defined by Articles XII, XIII, and XIV. of the Covenant.”

Article 34. “ The Court shall have jurisdiction (and this without any special agreement giving it jurisdiction) to hear and determine disputes, the settlement of which is by Treaties in force entrusted to it or to the tribunal instituted by the League of Nations.”

74. Opinion was divided within the Committee as to which solution should be adopted. The predominant feeling was in favour of the system of compulsory jurisdiction, but it was generally admitted that reasons of practical policy, and the necessity of obtaining unanimity in the Assembly, were in favour of adopting the solution proposed by the Council.

For the Council's draft Article 33 the sub-committee proposed, however, to substitute (Article 36) : “ The jurisdiction of the Court comprises all cases which the parties refer to it and all matters specially provided for in Treaties and Conventions in force.” They were thus prepared to adopt the Council's view of the limits of the Court's jurisdiction under a different mode of expression.

75. This formula was accepted by the full Committee subject to the addition of the last three paragraphs of Article 36 as it now stands in the Statute. The additional paragraphs, which were moved by the Brazilian delegate, are as follows :—

“ The Members of the League of Nations and the States mentioned in the Annex to the Covenant may, either when signing or ratifying the protocol to which the present Statute is adjoined, or at a later moment, declare that they 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 all or any of the classes of legal disputes concerning :—

“ (a) The interpretation of a Treaty:

“ (b) Any question of International Law.

“ (c) The existence of any fact which, if established, would constitute a breach of an international obligation.

“ (d) The nature or extent of the reparation to be made for the breach of an international obligation.

“ The declaration referred to above may be made unconditionally or on condition of reciprocity on the part of several or certain Members or States, or for a certain time.

“In the event of a dispute as to whether the Court has jurisdiction, the matter shall be settled by the decision of the Court.”

76. *Continuance of the Hague Court of Arbitration.*—A proposal made by the Argentine Delegation to suppress the Permanent Court of Arbitration at the Hague was rejected. It was thought that the Court of Arbitration would still play a part in certain international disputes more easily settled by arbitral decisions than by an award based on strict rules of law. It was further felt that it was not possible to ignore a Convention signed by several States which were not Members of the League.

77. *Geographical representation.*—A proposal of the Columbian Delegation to the effect that judges should be distributed between the different Continents in certain proportions was not adopted by the Committee, who felt that such a regulation would be too rigid and that it was unnecessary in view of the provisions for the nomination of candidates actually contained in the Statute.

78. *Representation on the Electing Panel of countries not represented on the Court of Arbitration.*—It will be seen from Article 4 of the Statute that judges are to be elected from a list of persons nominated for the most part by the “national groups” provided for in the Court of Arbitration. Certain Members of the League, including India, were not separately parties to the Hague Convention setting up the Court of Arbitration, and, therefore, have no national groups in that Court. The Committee accordingly decided that countries not represented on the Court of Arbitration shall be allowed to nominate candidates through national groups consisting of persons appointed for this purpose by their Governments.

The maximum number of candidates who may be nominated by each national group was increased by the Committee from two to four (not more than two to be of the nationality of the nominating group).

79. *Positions incompatible with that of Judge of the Court.*—The Committee settled the text of Article 16 of the Statute thus:—“The ordinary members of the Court may not exercise any political or administrative function.” This disability applies to judges, but not to deputy judges except when the latter are performing their duties on the Court. Similarly, deputy judges, in cases in which they do not sit, may act as agents, counsel or advocates.

80. *Validity of precedents.*—The Committee decided not to adopt an Argentine amendment to Article 38 intended to limit the power of the Court to attribute the character of precedents to judicial decisions. The Committee considered that it would be one of the Court’s most important tasks to contribute through its jurisprudence to the development of International Law. On the other hand the Committee retained Article 59 which had been inserted by the Council (*viz.*, “The decision of the Court has no binding force except between the parties and in respect of that particular case”).

81. *Publicity and dissentient judgments.*—The Committee considered very carefully the question of the publicity of the sessions of the Court, and decided that non-publicity ought always to be an exception. The Court is left with the power of holding a private session either at its discretion or upon the request of both the parties.

The Committee also agreed with the Council that dissentient members of the Court should have the right to publish their individual opinions.

82. *Composition of the Court for the purpose of dealing with Labour cases and cases relating to Transit and Communications under Part XIII. (Articles 416, 418 and 423), and under Part XII. respectively of the Treaty of Versailles and the corresponding parts of other Treaties.*—This ground had not been covered by the draft of the advisory committee of jurists. A method of dealing with the cases in question was proposed by the British Delegation and adopted by Committee No. III. in the form of Articles Nos. 26, 27 and 28 of the Statute. On the demand of the parties such cases may be heard by a Special Chamber appointed for three years, but in the absence of such demand they will be heard by the full Court. In either case the Special Chamber, or the Court, will be assisted by four technical assessors chosen from a list composed of two persons nominated by each Member of the League and (in the Labour cases) an equivalent aggregate number nominated by the Governing Body of the Labour Office. The Special Chamber may, with the consent of the parties, sit elsewhere than at The Hague. This solution was arrived at after rejecting the original proposal of the Labour Office that there should be a special section of the Court for Labour cases.

83. A number of amendments other than those referred to above were introduced by the sub-committee and the full Committee. We attach (Appendix III, Annexes 8 and 9) the Report presented by the full Committee on behalf of the sub-committee (Assembly Document 199), and the Report of Committee No. III itself (Assembly Document 216) covering certain draft Resolutions proposed for adoption by the Assembly.

84. At the morning and afternoon sittings of 13th December the Assembly debated the Committee's draft Statute and the draft Resolutions, which proposed that, in view of the special wording of Article XIV. of the Covenant ("The Council shall . . . submit to the *Members of the League*"), the Statute should be submitted by the Council to Member States for ratification in the form of a protocol and that it should come into force on ratification by a majority of Members.

Some dissatisfaction was expressed at the Court not being given compulsory jurisdiction, and the form of the Resolutions excited considerable discussion, some delegates deprecating it as a derogation from the sovereignty of the Assembly and a return to the methods of the old diplomacy.

Dr. Hagerup, as *rapporteur*, though he stated that he would himself have preferred out-and-out adoption by the Assembly as against ratification by States, defended the course proposed as an exceptional case necessitated by the wording of Article XIV. of the Covenant.

85. The Resolutions (Appendix II., Resolution No. 23) and draft Statute were finally unanimously passed by the Assembly, with one amendment moved by M. Loudon (Netherlands) to replace the words at the end of the second paragraph of Article 27 "on all occasions" by the words, "when desired by the parties or decided by the Court." The Statute, as finally passed by the Assembly, is reprinted in Appendix VI. (Annex 1).

Covering Protocol.

86. The protocol referred to in the Resolution was subsequently opened for signature at Geneva by the leading delegates on behalf of their Governments and was signed, after consultation with the British Delegation, by Sir William Meyer on behalf of the Government of India.

The main protocol was supplemented, in accordance with Article 36 of the Statute, by an optional clause, automatically accepting, subject to such conditions of reciprocity, etc., as might be stipulated, the jurisdiction of the Court as compulsory—*ipso facto* and without special agreement, in relation to other States accepting the same obligation—in all cases concerning (a) the interpretation of a treaty; (b) any question of International Law; (c) the existence of any fact which, if established, would constitute a breach of an international obligation; and (d) the nature and extent of the reparation to be made for any such breach. Sir William Meyer did not consider that he was competent to go as far as this on behalf of the Government of India.

Copy of the protocol and optional clause is attached (Appendix VI., Annex 2).

Remuneration of Judges, etc.

87. The salaries and allowances of the members of the Court were to be determined by the Assembly on the proposal of the Council (Article 32 of the Statute). The question was referred by the Council to Committee No. III which submitted certain proposals contained in their Report on the subject (Assembly Document 248, see Appendix III., Annex 10). These proposals were accepted by the Assembly on 18th December.

Proposal as to the more precise definition of International Law.

88. Attached to the draft Statute which had been submitted by the Council to the Assembly were four Recommendations (*vœux*), three of which had been proposed by the advisory committee of jurists, and a fourth by the Council. These were considered by Committee No. III., and the Committee proposed action by the Assembly on only one of them, which suggested a continuation of the work of the former Peace Conferences at The Hague in regard to the codification and development of International Law. The Committee proposed that the Assembly should invite the Council to take up with authoritative institutions the question of the more precise definition and co-ordination of the

rules of International Law. This proposal was considered by the Assembly on 18th December, but was opposed by Lord Robert Cecil on the ground that it was premature if it was the intention to proceed at once to the codification of International Law and otherwise useless. The proposal was rejected on a division.

Points on which a decision is required by the Government of India.

89. It will be seen from a perusal of the Statute of the International Court that it falls to the Government of India to decide in the near future on the action to be taken in regard to the following matters :—

- (1) A decision whether or not to ratify the protocol which accepts the Statute constituting the Court.
- (2) A decision on the important question whether to sign and ratify, with or without conditions, the optional clause accepting automatically the jurisdiction of the Court in certain classes of disputes.
- (3) The appointment, under Article 4 of the Statute, of a national group of persons to nominate candidates for judgeships ; this national group must be appointed under the same conditions as those prescribed for members of the Permanent Court of Arbitration by Article 44 of the Hague Convention of 1907.
- (4) The nomination under Article 26 of the Statute of two persons to be included in the list of " Assessors for Labour cases."
- (5) The nomination under Article 27 of two persons to be included in the list of " Assessors for Transit and Communications cases."

Work of Committee No. IV. (Financial Organisation of the League).

90. This Committee was concerned with the four subjects on the Agenda connected with financial organisation, *viz.* :—

Item 22.—Report by the Secretary-General on the staff and organisation of the Secretariat.

Item 23.—The first budget, covering the " organisation period " (extending to 30th June 1920), and the second budget for the period from 1st July to 31st December 1920.

Item 24.—The budget for 1921 (the calendar year having now been adopted as the League's fiscal period).

Item 25.—The future method of apportioning the expenses of the League among its Members.

The Committee appointed Sir James Allen (New Zealand) as *rapporteur* on Item 22, and Sir George Foster (Canada), assisted by Jonkheer van Eysinga (Netherlands), as *rapporteur* on the remaining three items.

Staff and Organisation of the Secretariat.

91. The information provided in the Secretary-General's report as submitted to the Assembly was most meagre. H. H. The Maharaja Jam Saheb of Nawanagar, who represented India in this Committee, requested further information on the subject, and the request was supported by other representatives, particularly those of the Dominions. Under this pressure the Secretariat produced lists of the officers employed, showing their salaries, sumptuary allowances and nationalities. It was also stated that travelling allowances in addition to the actual expenses of locomotion are granted to officers absent on duty from the headquarters of the League, and that salaries were supplemented by temporary allowances towards the extra cost of living at Geneva, resulting from the initial difficulty of finding accommodation ; but it was explained that such temporary allowances ceased as soon as permanent accommodation was found, and would in no case be paid after the end of the Assembly session.

92. The information furnished gave rise to considerable and valuable discussion, from the point of view of economy, in the Committee. The fact, for instance, that while the Secretary-General gets a sumptuary allowance of 6,000*l.* a year, three of his subordinates draw sumptuary allowances also, appeared to indicate unnecessary lavishness, and it was felt that the general range of the salaries attached to the higher appointments was on an extravagant scale.

It may be observed, by way of illustration, that the Secretary-General's emoluments—10,000*l.* a year in all (and free of income-tax)—are about twice as much as those thought necessary for the very distinguished jurist who will have to be selected to be the President of the Permanent Court of International Justice at The Hague; and the emoluments of the Secretary-General's principal lieutenants are analogously high. It was pointed out by the Australian representative that out of 186 persons employed, 38 were receiving salaries of 1,000*l.* or more, and 48 others between 500*l.* and 1,000*l.*

93. Other questions discussed by the Committee were the period of appointment of officers; their security against dismissal during this period and their replacement or retention at the end of it; the publication of vacancies; the creation of a body within the Secretariat to advise as to selection; and the regard to be paid to international considerations in filling vacancies. A proposal that a certain proportion of the salaries of the staff should be retained for pension was rejected.

94. The Committee ultimately decided on the recommendations contained in Sir James Allen's Report (Assembly Document No. 229), attached as Appendix III., (Annex 11). This was discussed by the Assembly on 17th December. The *rapporteur* announced that he personally would have been prepared to make stronger proposals than those contained in his Report, which had been watered down by the Committee. The Maharaja Jam Saheb of Nawagar, who had taken a leading part in the discussion of this and the kindred subjects dealt with by the Committee—he was, in fact, the protagonist of the economy party—had intended to speak in the Assembly, but was unfortunately prevented by illness from attending its sittings during the last week of the session. The speech which His Highness had prepared was delivered on his behalf by Sir Ali Imam, who followed it up by remarks of his own. Both speeches are attached to our Report (Appendix IV.).

95. After some amendment by the Assembly, Resolutions corresponding to the first three recommendations of Sir James Allen's Report were passed to the following effect:—

- (a) Secretariat officers appointed for a period of five years or more by the Secretary-General should, in the event of dismissal, have the right of appeal to the Council.
- (b) A list of the staff showing nationalities, salaries and allowances, by classes, should be published yearly, with an account, in the first two years, of the previous services of the higher officials; and attached to each budget should be a list showing the nationality, salary and allowances, including travelling allowances, of every individual member of the staff.
- (c) In filling the various posts, and having of course regard to efficiency, consideration should be given to the international character of the League; information regarding vacancies to be made as public as possible. (Sir Ali Imam pointed out in this connection that no Indian had as yet been employed in the Secretariat).

The fourth recommendation (regarding the renewal of the staff at the termination of each five-year period) was rejected.

The most important of the amendments was one moved by Sir William Meyer, and accepted, that the principles of the Resolutions should apply equally to the staff of the International Labour Office. The Resolutions as adopted by the Assembly will be found in Appendix II. (Resolution No. 30).

The Budgets.

96. Committee No. IV. devoted a number of long meetings to the discussion of this subject. The existing condition of the League's financial organisation was felt to be unsatisfactory. The following were among the principal questions discussed:—

- (a) The cost of the Secretariat.
- (b) The cost of the Labour Office and the absence of any explanation of its budget of 7,000,000 gold francs for 1921.
- (c) The question of creating an organ of financial control.
- (d) The provision for working capital and for unforeseen expenses.
- (e) Non-payment of contributions by certain States.

97. On the first point H. H. The Maharaja Jam Saheb of Nawanagar brought forward a motion that the cost of the Secretariat was susceptible of useful reduction. This was supported by the representatives of Australia, South Africa and New Zealand, but was not adopted. A somewhat similar motion by Sir James Allen (New Zealand) was also lost. The Secretary-General, in the course of his subsequent explanations to the Committee, said that he anticipated that the expenses of the League would not increase in 1922 in anything like the same proportion as in the years covered by the present budgets.

98. As regards the relations of the Labour Organisation to the Assembly, the Labour Office was understood at the outset to claim complete autonomy, under Part XIII. of the Treaty of Versailles, subject merely to the control of its own Governing Body, with the result that the League, through its Members, would have to pay whatever the Governing Body thought fit. M. Albert Thomas, however, who appeared before the Committee, admitted that this was an overstatement of the case, and that the Assembly must have general budgetary control over globular estimates, as he put it; he seemed to think that details were outside the Assembly's scope. But he claimed complete independence of the Secretary-General. The last clause of Article 399 of the Treaty of Versailles he read as merely meaning that the Secretary-General can obtain the audit of money that he has paid in to the Labour Organisation.

99. The Labour Organisation budget of 7,000,000 gold francs for 1921 contained no details whatever, but after he had undergone a certain amount of heckling in the Committee, M. Thomas said that he would endeavour to give such details as soon as possible.

Mr. Butler, the Deputy Director, subsequently added, by way of excuse, that the Labour Office had not been able to prepare details owing to a sudden change in the budget period, which they had previously thought would be for the year commencing 1st April. He assured the Committee that full and previous explanations would be given in connection with the budget for 1922.

100. Several members of the Committee expressed themselves in favour of expert financial control by some body discharging the functions which correspond to those of a Government's Finance Department. The Maharaja Jam Saheb of Nawanagar proposed the appointment of an adequate committee to supervise expenditure and check all proposals for fresh expenditure; His Highness withdrew his own motion to this effect in favour of an analogous proposal tabled by Mr. Barnes, but the latter was not moved owing to Mr. Barnes' absence. This and similar proposals, however, produced partial effect in the Report which was eventually submitted by the Committee to the Assembly.

101. The second budget (for the last half of 1920) contained a provision for 1,725,000 gold francs for a "working capital" or reserve. The object of this was to avoid the temporary borrowing which had been found necessary owing to the unpunctuality of many States in paying their contributions. The budget for 1921 contained, however, another provision for working capital. It was ultimately explained that the amount previously provided had been used to defray expenses resulting from the move to Geneva, which had been carried out at an earlier date than was expected at the time of the preparation of the budget for the last half of 1920.

It was pointed out that contributions for the first fiscal period (ended 30th June 1920) had not yet been received from three Members, *viz.*, Paraguay, Salvador and Argentina.

102. The first draft of the Committee's Report, prepared by Sir George Foster and Jonkheer van Eysinga, did not sufficiently meet the criticisms made in the Committee. H. H. The Maharaja Jam Saheb of Nawanagar and Sir R. Blankenberg (South Africa) accordingly circulated a protest to their colleagues on the Committee, indicating the points on which the draft Report was held to be inadequate, and desiring that if it was not amended the protest should be laid before the Assembly.

103. This document, which had been drafted by Sir William Meyer as principal Indian delegate for his colleague's use, and to which, as has been stated, the leading delegate of South Africa also adhered, produced an immediate effect, and was supported by other delegates at the next meeting of the Committee. The *rapporteurs* then gave up any attempt (for which they had previously seemed prepared) to curtail discussion, which was continued on an amended draft that they had circulated, containing some material improvements.

104. The Foster-Eysinga Report as finally adopted by the Committee is attached (Appendix III., Annex 12). It proposes a complete change in the existing financial organisation, and by implication recognises the unsatisfactory nature of the present position. It provides that the budget shall be placed before the Assembly in a much more complete form in future, and in time to enable preliminary scrutiny by Members of the League. The budget, with detailed explanations, must reach the Member-States a month before the Assembly meets. If supplementary estimates are necessary, these must be submitted to the Assembly at the earliest practicable moment. The power of the Assembly to modify or reject the budget proposals is fully recognised, and provision is made for adequate audit and for the separation of accounts under appropriate heads. The Labour Office and each Organisation, Office or Commission, provided for in chapter II. of the budget (Indirect Expenditure), is to prepare its own detailed budget (and explanation) to be annexed to the general budget.

The Report advised that the League should, so far as possible, avoid entering upon costly enterprises which could equally well remain in the hands of individual Members of the League or of existing international official bodies (such as the Postal Union).

105. The Report dealt as follows with points which had come under special discussion in the Committee :—

(1) With reference to the criticisms that had been made in regard to the Secretariat and Labour Office and the lack of financial control, a small committee of experts is to be set up to consider all factors connected with their organisation and methods of work ; the efficiency, number, salaries and allowances of the staff ; the general expenditure of the organisation, &c.* It was further laid down in the body of the Report (on the motion of Senator Millen of Australia), that after considering the report of this committee the Assembly will reserve to itself the right to vary, to such extent as it may think fit, the rate of remuneration of the officers concerned.

(2) Lists of the officials of the Secretariat and of the International Labour Office, with their salaries, allowances and nationality, are to be annexed to the annual budget.

(3) Where there is a lump provision for unforeseen expenditure in the budget, this can only be drawn on under the authority of a special Resolution of the Council, which must be immediately communicated to all the Members of the League of Nations.

During the year 1921 transfers from one item to another of the same budget chapter may be effected by virtue of a special Resolution of the Council, which must be immediately communicated to all the Members of the League of Nations. This action is not, however, to be regarded as establishing a precedent.

(4) Except as regards recoverable advances (*e.g.*, on account of Commissions whose expenses are refunded at a later date by the countries concerned), expenditure which has not been provided for in the general budget, either specifically or under the head of unforeseen expenditure, cannot be met from the special working capital fund established to tide over delays in obtaining subscriptions.

Consequently unforeseen expenditure, if not covered by clause (3) above, cannot be incurred till the Assembly has sanctioned it at its next meeting.

(5) The Secretary-General is to submit regularly as an annex to each budget a list of payments and receipts on account of the working capital fund, and a statement as to how it has been utilised.

(6) Member-States are to be asked to take steps to ensure their contributions being paid at the earliest possible date. Sir G. Foster also dealt with defaulting Members in his introductory speech, emphasising the fact that Argentina, which had attracted so much attention to itself by its Delegation leaving the Assembly, had so far not contributed a penny towards the League expenses in spite of repeated reminders.

Allocation of expenses among the States.

106. This subject, which was also covered by the Foster-Eysinga Report, had received special attention from the Committee.

* See Recommendation III. attached to the Report (Appendix III., Annex 12).

The matter had already been considered by a special Committee appointed in connection with the Brussels Financial Conference. Under Article VI. of the Covenant the expenses of the Secretariat including (under Article XXIV.) the expenses of subsidiary organisations placed under the direction of the League, are borne by Member-States in accordance with the apportionment of the expenses of the International Bureau of the Universal Postal Union. Under this system the six British Members of the League (five of which, including India, are grouped in the first class) pay about one-fourth of the League's total expenses. It had become clear that a system of apportionment which might pass without comment in regard to the relatively small expenditure of the Postal Union was quite unsuitable for the division of the growing cost of the League: inequalities under the Postal Union scheme matter very little in practice because of the small amounts involved, whereas a mistake in grouping or in percentage allotment is far more serious in regard to League outlay.

The Brussels Committee, of which Mr. H. F. Howard was a member, had made recommendations in favour of reapportionment on a basis of net revenue plus population. These recommendations were transmitted by the Council to the Swiss Government, which supervises the office of the Postal Union, and were forwarded by that Government to the Director of the Union office (who at the time of the Assembly's meeting was attending the Postal Congress at Madrid) with the request that he would ascertain the views of the delegates at the Congress regarding a possible modification of the Postal Union schedule. Committee No. IV., to whom these facts were communicated, caused an enquiry to be addressed to Madrid as to the attitude of the Congress. It is understood that (as the Indian Delegation were independently informed by Mr. Geoffrey Clark, the representative of India at the Madrid Congress) the Congress decided that the International Bureau should get into touch with the Secretariat of the League of Nations before any alteration was suggested and that the votes of the States in the Union should be taken. It thus appeared that while many delegates at Geneva wished to avoid amending Article VI. of the Covenant and looked to the Postal Union to revise its classification, the Postal Union in turn was looking to the League. This, to our mind, emphasised the necessity for getting the Covenant amended by cutting out all connection between the distribution of League expenses and that of the Union charges.

107. The solution adopted by the Committee was a compromise between the views of those who wished for an immediate amendment of the Covenant (led primarily by the representatives of India and the Dominions), and of those, including M. Hanotaux (France), who were anxious to avoid the necessity of amendment, or, like M. Trygger (Sweden), were opposed to the adoption of net revenue as a basis of allocation. This solution is set forth in Articles 13 (a) to 13 (e) annexed to recommendation No. II. in the Foster-Eysinga report.* Its practical effect is that a small Committee should be appointed, including the Swiss delegate to the Postal Union, to try and obtain a scheme of allocation which would suit both the Union and the League, but that, if this effort failed, the question of allocation of expenditure should again be placed on the agenda of the Assembly for 1921; and also that the allocation for 1922 should be so arranged that States, who contributed in 1921 more than the revised scheme would impose on them, would get a refund in 1922, a contrary adjustment being made in the case of Members whose quota would be increased.

Action of the Assembly on the Foster-Eysinga Report regarding the budgets and the question of reapportioning the League Expenses.

108. Report was taken into consideration by the Assembly on 17th December. Sir George Foster made a clear and eloquent introductory speech, and was followed by M. Trygger (Sweden) and Sir R. Blankenberg, the latter emphasising the anomalies of a system of allocation of expenses modelled on that of the Postal Union, where "South Africa," as he pointed out, included territories with which the South African Dominion is not concerned. A speech by Sir James Allen contained a specific reference to the emoluments of the Secretary General, which, he pointed out, were five times what was deemed sufficient for the New Zealand Premier, and later on drew from Mr. Balfour a defence of that officer's salary; both criticism and *apologia* were received in a spirit of apathy by the Assembly.

*See Appendix III, Annex 12.

109. The Indian Delegation had put down seven amendments to the Committee's proposals (see Appendix V., Annex 4), but in view of the relatively satisfactory character of that Committee's Report, as ultimately presented, and of Sir George Foster's explanatory speech, it was possible, after private conference between Sir George and Sir William Meyer, to withdraw five of them, viz., those numbered 1, 3, 4, 5, and 6. The speech delivered by Sir William Meyer on the Indian amendments is given in Appendix IV. (Annex 7).

Amendment No. 1 was withdrawn because Sir George Foster furnished the explanation required, and satisfactory future provision regarding working capital is made in the Report.

Amendment No. 2, which was pressed and ultimately accepted, refers to non-payment of contributions, and requests that the special Committee which was already to be set up to consider modifications in the Covenant, should also consider what steps should be taken with reference to defaulting States. It was contemplated, for instance, that such steps might include debarring the delegates of such States from holding office in the Assembly, or from sitting on any Committees.

110. Amendment No. 3 was withdrawn on condition that an alteration* was made in the wording of Recommendation II. in the Report, the object of which was to make it clear that the "principles" which followed were to be observed henceforth in any case, and not, as might be inferred from the original wording, till a draft Resolution was submitted regarding them at the 1921 session.

Amendment No. 4 (to reduce the budget by a million gold francs) was specially justified in the case of the Labour Office by the manner in which M. Thomas had submitted a mere globular estimate of 7,000,000 gold francs without giving details, alleging that the Governing Body had not had time to consider them. Sir William Meyer was, however, furnished privately with some detailed estimates prepared by M. Thomas; and though he considered that these were on an extravagant scale, especially in regard to the expenditure proposed for printing, he thought that it would be a tactical mistake to press matters at the present stage, having regard to Sir George Foster's practical admission that the Labour Office's action had been very unsatisfactory, and in view of the fact that steps were being taken to prevent its recurrence.

Amendment No. 5, fixing a maximum aggregate cost for certain technical organisations, but allowing reappropriation between different heads in 1921, followed the lines of the Resolution which had been adopted by Committee No. II., and passed on by them to Committee No. IV. (see para. 50 above); but it was thought that the ground had been covered by the second paragraph of Article 6 under Recommendation II. in the Foster-Eysinga Report.

111. Amendment No. 6, the most important of the amendments withdrawn, was as follows:—

"That the Council be asked to consider more adequate future control of expenditure by the appointment of a Standing Committee, independent of the Secretariat and the Labour Organisation, to consider all items of fresh expenditure before these are submitted to the Council."

Sir William Meyer pointed out that the special enquiry to be instituted under Recommendation III. of the Report was good in itself, but inadequate as regards the future. What was desired was constant control, such as is exercised in every country by its Finance Ministry over the estimates of spending Departments; and the Council were far too much occupied to afford this check. The amendment was, however, not pressed in deference to representations made to Sir William Meyer by Sir George Foster that the question might provoke much discussion and that the Assembly had already obtained considerable scope for control. The general attitude of the Assembly in regard to economies was, moreover, clearly apathetic. It was thought desirable, therefore, for tactical reasons not to press the amendment on the present occasion, but in announcing this decision Sir William Meyer explained that the Indian Delegation adhered to the principle underlying it, and reserved full liberty to bring it forward again next year.

*For this alteration compare Appendix II., Recommendation No. 8, with the draft Recommendation II., in the Foster-Eysinga Report (Appendix III., Annex 12).

112. Amendment No. 7 was to the effect that the Committee to consider alterations in the Covenant should also be instructed to consider an amendment of Article VI. thereof, which would make future contributions of States to League expenditure depend not on the quotas adopted for the purposes of the Postal Union, but on some independent principle. Sir William Meyer pointed out the absurdity of making the division of expenditure which had already attained to over a score of million gold francs depend on the allocation adopted for the outlay of the Postal Union, which only amounted to some 3,00,000 francs ; and that as the Postal Union might quite well decline to modify their existing scheme materially, the proper course was to cut the League adrift from the Union promptly instead of waiting till we were forced to do this.

Sir George Foster, however, declined to depart from the compromise arrived at in his Report, and the Indian Delegation's amendment on this subject, as well as another on somewhat different lines moved by Sir R. Blankenberg (South Africa), were rejected on a division by large majorities.

113. With the amendments indicated above, the Assembly accepted the Foster-Eysinga Report (see Appendix II., Resolutions Nos. 31 and 32, and Recommendations Nos. 7-9). The figure of 21 million gold francs was shown in the original Report for the Budget for 1921, but this became 21,250,000 gold francs, because 2,50,000 gold francs were added on account of new expenditure sanctioned during the session in respect of armaments, traffic in women and children, and the Armenian enquiry.

114. The leading of the movement for greater and more economical control over the league finances was the most important work done by the Indian Delegation in the session under report, and though the results achieved fell short of our desires, they mark great improvement. The full right of control of the Assembly and its Budget Committee over the League's finances, including those of the Labour Office, has been admitted. There has been practical admission that the estimates for 1921 were submitted in an inadequate form (especially those of the Labour Office), and steps have been taken to obtain more adequate information and examination for the future. The special Committee to be set up to examine the organisation and emoluments of the Labour Office and the League Secretariat may not result in any drastic economy in regard to the present scales, but will hinder future extravagant expansion. The necessity for revising the methods of assessment of the constituent States, whereby India at present suffers, has been admitted, though the actual method accepted is in our opinion cumbrous and dilatory. Lastly, we have put a check on the idea entertained by a number of the delegates that expansion of the League's expenditure was a matter of little consequence, since it was for good objects and the amounts would be distributed among many countries.

As above indicated, we should have liked to go further, especially in the direction of constant outside control over the League's spending departments and the revision of the present very faulty assessment system. But we had to face the apathy of the majority of the foreign States. We have, however, paved the way for future progress.

In this campaign we were ably seconded by the Dominions delegates, especially those of South Africa and New Zealand. From the British representative in Committee No. IV. (Mr. Barnes) we obtained intermittent support, but he was absent every now and then. We had also to face the fact that the international character of the League's establishments tends to extravagance. It would be invidious (as M. Thomas argued) to discriminate in the matter of emoluments between citizens of countries in which the scale of official remuneration is large and those in which it is much lower.

Work of Committee No. V. (Admission of new States to the League).

115. This Committee dealt with the applications for admission to the League received from 14 States, which were referred to various sub-committees.

In each case the applications were examined with reference to the five following points :—

- (1) Is the application for admission to the League of Nations in due form ?
- (2) Is the State recognised *de jure* or *de facto*, and by which other States ?

- (3) Does the country possess a stable Government and settled frontiers ?
What are its size and population ?
- (4) Is the country fully self-governing ?
- (5) What has been the conduct of the country, including both acts and assurances, with regard to—
- (a) its international obligations ;
 - (b) the prescriptions of the League as to armaments.

116. The conclusions reached by the Committee after receiving the sub-committees' reports were debated by the Assembly from 15th to 17th December.

The Assembly adopted, as a preliminary, a Recommendation moved by Lord Robert Cecil requesting the Baltic and Caucasian States and Albania, in the event of their admission, to enforce the principles of recent Treaties regarding the protection of minorities (see Appendix II., Recommendation No. 3).

117. In the course of the general discussion M. Motta (Switzerland) spoke in favour of extending membership of the League to all Powers in the world as soon as possible, and dealt specifically with the United States of America, Russia and Germany ; he said that he considered that the decision of the Peace Conference not to give immediate admission to Germany was a mistake. This evoked from M. Viviani the most eloquent speech of the session, in which he justified the position of France in this matter in regard to Russia and Germany. Russia could be admitted as soon as she returned to real democracy : as regards Germany, he appealed to Article I. of the Covenant, and asked how it would be safe to admit at once to the League, which depended on mutual responsibilities and good faith, a Power which was still on test in regard to its readiness to carry out the specific obligations of a Peace Treaty. He, too, wanted the League to be all embracing, and the sooner America could enter, the better pleased France would be, but the too early admission of certain States would defeat the real object in view ; and he reminded M. Motta that it would not have been possible for the Assembly to meet but for the sacrifices of the Allied Powers, which had defended the liberties of the world.

Germany was not among the applicants for admission, but the proposal of the Argentine Delegation, referred to in para. 14 above, that civilised Powers should be admitted to the League whenever they wished, without having to undergo a ballot, was regarded in some quarters as having been specially made in her interests.

118. Basing itself on the five criteria indicated above, the Assembly then proceeded to the individual candidatures, in regard to which a two-thirds favourable vote is required by Article I. of the Covenant.

Six of the applicant States were admitted. *Austria* (with 35 votes for and none against) was readily accepted. The Committee had put on record, on the representation of Switzerland, that Austria's entry into the League would in no way prejudice the future political destiny of the Vorarlberg.

The application of *Bulgaria* had at first been opposed in the Committee by the representatives of her Balkan neighbours, but in the end her admission was unanimously recommended, on the motion of Greece and Rumania, after the receipt of reports by the Allied Military Council at Versailles and the Council of Ambassadors. These reports tended to the conclusion that Bulgaria had shown a sincere intention to execute her international obligations.

The Assembly adopted this conclusion by 35 votes for admission and none against. M. Viviani, however, who had abstained from voting in the Committee on behalf of France, also abstained in the Assembly.

The following States were also admitted without any adverse vote :—
Costa Rica (38 votes).

Finland (39 votes), without prejudice to a decision in the Aaland Islands dispute. The French policy of treating the Russian problem as an integral whole, which was one of the obstacles to the admission of the other Baltic States, did not stand in the way of Finland's admission in view of the fact that she had been autonomous before the Russian revolution.

Luxemburg (39 votes). Luxemburg had at first asked for a special guarantee of her neutrality on admission, but had subsequently withdrawn this request. In the Committee Mr. Fisher had proposed to postpone the question

of her admission, and to ask the Council to make a special study of the case. He drew attention to the difficulties that might arise from the admission of a State as small as Luxemburg. He thought that her request for admission might be postponed until the next session of the Assembly, in order that the Council might meanwhile decide whether a minimum of territory or population should not be required to qualify for admission to the League. Since, however, MM. Poulet (Belgium), Van Karnebeek (Netherlands), Politis (Greece) and Lord Robert Cecil (South Africa), had recommended the immediate admission of Luxemburg, Mr. Fisher withdrew his proposal, and the admission of this State had been unanimously recommended by the Committee to the Assembly.

119. The sixth State to be admitted was *Albania*. The Committee had recommended by a majority that the admission of Albania should be postponed until her international status has been definitely determined. Lord Robert Cecil, who had led the minority in her favour in the Committee, now moved that Albania should be admitted. Her supporters urged that she stood on a different footing from the other States which were rejected by reason of their indeterminate boundaries, because she was surrounded by Members of the League who had recognised her international existence, and if any question arose as to her boundaries it could be settled amicably as between League States. Mr. Fisher announced that on reconsideration he would support the motion, and M. Viviani and M. Schanzer (Italy) concurred. Sir Ali Imam made a telling speech pointing out that a favourable decision would appeal especially to India, because Albania is a country where the adherents of two great rival religions are working cordially together. Albania was admitted by 35 votes with none against.

It had at first been thought that, if there was opposition to the Albanian claim, it might be prudent for the British Empire Delegations to abstain from voting, but it was subsequently decided that she should be supported, and, as a matter of fact, the opposition had disappeared. We were very glad of a situation which enabled India to support the application, in view of the satisfaction which this might give to Indian Muhammadans.

120. The remaining applications failed. There was no hesitation in rejecting the *Ukraine* and *Azerbaijan* (no States voting in favour) since they did not appear to possess stable governments with authority extending over the whole of their territories.

As regards *Liechtenstein*, the Committee was of the opinion that her application could not be granted, as she did not appear to be in a position to carry out all the obligations imposed by the Covenant, but they recommended that the special Committee to be appointed by the Council of the League to consider proposals with reference to amendments to the Covenant should also consider in what manner it would be possible to attach to the League of Nations sovereign States which, by reason of their small size, cannot be admitted as ordinary Members. The Assembly rejected the application of *Liechtenstein* (only Switzerland voting in her favour) but accepted the Committee's general Recommendation (Appendix II., Recommendation No. 6).

121. In considering the requests of *Esthonia*, *Latvia*, *Lithuania*, *Georgia*, and *Armenia* for admission to the League, the Committee considered these States as all falling under a like category, since, though differing widely geographically, they are all situated in a disturbed portion of the world, and are of recent creation, with indeterminate boundaries, and menaced by the possibility of Russian revindications. This being so, the League could not effectively undertake the responsibilities for their protection against external aggression contemplated by Article X. of the Covenant.

Lord Robert Cecil had wished to admit them subject to a formula stating that they should not necessarily get the benefit of the League's guarantee in Article X. of the Covenant, but other delegates pointed out that this would not be a satisfactory solution, since if these States were to be Members of the League, they must be treated in the same way as the rest, and the guarantee of Article X. would be of primary necessity to them. Mr. Rowell (Canada) thought that all that could be done at present was to establish some formula which would admit of special relations between these States and the regular Members of the League.

122. Finally, after careful consideration, the Committee recommended that these States were not ripe at present for regular admission to the League, but that if they wished they might be given representation on the League's technical organisations, including the International Labour Conference (Appendix II, Recommendation No. 5).

This decision was taken by the Committee with reference to Armenia after a noteworthy declaration by Mr. Rowell (Canada), in which he challenged the propriety of the alleged hostile attitude of the recent Conference of Premiers in London in regard to the admission of Armenia to the League, and said that in the opinion of his Government the question of the admission of new States must be decided by the Assembly in Geneva, and not in London, Paris, or Rome. This view was supported by Lord Robert Cecil and Dr. Nansen (Norway).

123. The Assembly agreed with its Committee that the question of the admission of these five States should be postponed. Only five States voted for Esthonia, Latvia, and Lithuania, ten for Georgia, and eight (including Canada) in favour of Armenia. It was decided, however, that the three Baltic States and Georgia might, as recommended by the Committee, be admitted, if they so desired, to the technical organisations of the League and to the Labour Organisation. This Resolution, however, was less emphatic than the Committee had suggested, being made merely an expression of opinion by the Assembly that such a course would be desirable.

A similar proposal could have been carried for Armenia, but Lord Robert Cecil, who had been the protagonist of the Armenian claim, said that in present circumstances, with her very existence threatened, it would be a mockery to ask her to take part in technical deliberations.

Work of Committee No. VI. (Economic Weapon, Armaments, and Mandates).

124. Committee No. VI. dealt with the following items on the Assembly's agenda :—

Item 27.—Reduction of armaments. This question was placed on the agenda as the result of a Resolution adopted by a Conference of Ministers of State and Ministers of Foreign Affairs of Denmark, Norway and Sweden, expressing the hope that the work of the Permanent Advisory Commission on Military, Naval and Air questions, established by the Council in accordance with Article IX. of the Covenant, would be carried out without delay.

Item 28.—Preparations required to enable the "economic weapon" of the League (*i.e.*, the steps contemplated in the first paragraph of Article XVI. of the Covenant) to be used in case of necessity.

Item 29.—Mandates. Responsibilities of the League arising from Article XXII. of the Covenant.

The Committee referred each of these items to a separate sub-committee.

Economic Weapon (Item 28).

125. This was the first of the three subjects disposed of. Lord Robert Cecil was Chairman of the sub-committee of five members which dealt with it. Their Report, in which some minor modifications had been made by the full Committee, was presented to the Assembly on 10th December, and as amended by the Assembly is reproduced in Appendix III. (Annex 13).

The Report commences by reciting the Resolution which, on the proposal of M. Tittoni, the Council had adopted on 3rd August 1920, *viz.* :—

"The Council decides to place upon the agenda of the first Assembly of the League of Nations the consideration of the necessary measures to ensure the application of Article XVI. of the Covenant. With this aim in view, it will propose to the Assembly that, as a preliminary measure, an International Blockade Commission should be appointed under the authority of the first Assembly for the purpose of studying the problem and settling the general plan of action, the organisation of the more permanent machinery required and the principles on which it should work."

126. The sub-committee's Report, endorsed by the Committee—

(1) Provides that this Commission should be appointed by the Council, and should not exceed eight in number, with power to bring in experts to advise them, and that not less than half of its members should represent States not having a right to permanent membership on the Council.

(2) Recommends the following steps to obviate difficulties in the way of the immediate application of the economic weapon if necessary, pending the elaboration of procedure by the Commission :—

It is to be the duty of the Secretary-General to call the attention of the Council to any facts which seem to point to violation of the Covenant within the meaning of Article XVI.; the Council should thereupon consider the matter and report the result of their deliberations (whether unanimous or not) to the other Members of the League. If any State is thereupon satisfied, with reference to the Council's findings, that there has been such a breach, it becomes the duty of that State to carry out the first part of the Article. Where the Covenant-breaking State has a seaboard which it would be necessary to blockade, the Council ought to consider what Members of the League can most conveniently be asked to discharge this duty.

(3) Refers to the proposed Blockade Commission other questions relating to the application of Article XVI., as for instance :—

(a) That of securing identity of action by all the Members of the League against the Covenant-breaker.

(b) As to relations between nationals of the Covenant-breaking State and those of other Members of the League.

(c) A question suggested for consideration by Denmark, Norway, and Sweden, as to the case of Members of the League who, from their weakness and their geographical position, might be in serious danger if they carried out to the full their obligations under the first paragraph of Article XVI. against a powerful Covenant-breaking State.

(d) How the blockade can be enforced where a State which is not a Member of the League is a neighbour of the Covenant-breaking State, and

(e) What restrictive measures of a financial character can and ought to be taken.

127. The Report also laid down that where a State which has been invited under Article XVII. of the Covenant to accept the obligations of Membership of the League, but has refused, makes war against a Member of the League, it must be treated in precisely the same way as if it were itself a Covenant-breaking State.

128. Two of the minor amendments made by the Assembly, and incorporated in the Report as printed, are worth mentioning :—

(1) The provisional proposals of the Report [*see* para. 126 (2) above] are to be reviewed at the next Assembly on the report of the Blockade Commission.

(2) The meeting of the Council to consider a *prima facie* breach of the Covenant is to be called on the request of any of its Members instead of on the initiative of the Secretary-General.

129. It seems inevitable that, for the present, the "economic weapon" will be a difficult one to apply with adequate unanimity and promptitude. It will be observed that it is left to each State to decide (when the emergency arises) whether a case for applying the "blockade" under the Covenant has arisen or not. In reply to M. Motta (Switzerland) in the Assembly, Lord Robert Cecil admitted that this was the Committee's view of the meaning of the Covenant, but insisted that each State, when once it had decided that there had been a breach of the Covenant, was obliged to apply the full provisions of Article XVI. The interim procedure proposed in the Report [*see* para. 126 (2) above] was designed to assist each State in arriving at a conclusion as to whether a breach had actually occurred.

Reduction of armaments (see Articles VIII. and IX. of the Covenant).

130. In view of the interest taken in the question, the first meeting of the Committee on the subject of disarmament was open to the public. At this meeting Dr. Lange (Norway) presented a long memorandum, in which he stated that the application of the Articles of the Covenant which relate to the question should not be further delayed, since the peace of the world demanded an immediate solution: not only was it necessary for an exchange of information concerning the armament programme of each country to be organised, but the accuracy of the information must be checked.

131. At the next meeting it was decided that the discussions should for the present be private. At this meeting M. Bourgeois recalled that the French Delegation at the Peace Conference had made two important proposals, one for the organisation of a control of armaments, and the other for the formation of a body of international police recruited from the various States. As things now were, in the opinion of M. Bourgeois, it would be wiser to delay for a short time the reduction of armaments than to take measures which were ill-considered and premature; otherwise the States which disarmed and honoured their obligations might find themselves at a disadvantage.

M. Schanzer (Italy), however, thought that the League should not in any way seem to postpone the study of the question. Although armaments must be reduced according to a uniform plan, so that immediate reduction was not possible, the solution of the problem must not be too long deferred.

132. At a further meeting of the Committee, divergent views continued to be forcibly expressed.

M. Fock (Netherlands) said that when the Parliament of the Netherlands were considering the question of applying for admission to the League, they adopted a unanimous Resolution to the effect that in their opinion the reduction of armaments was the most important question for the League of Nations. It was, he thought, impossible to make warfare more humane; the only hope lay in the complete abolition of the military system.

M. Negulesco (Rumania) said that Rumania could not disarm until the enemy countries did so. He thought with M. Bourgeois that an international police force must be created to enforce the decisions of the League. He proposed Resolutions (a) in favour of such a police force; (b) that the limitation of armaments should be imposed not only on Member-States, but on others; (c) that a Commission should be appointed to verify the information interchanged between States; and (d) that there should likewise be an international army in order to undertake the common action contemplated by Article XIII., and also by Articles X. and XVI., of the Covenant.

The Chairman, M. Branting (Sweden), stated that the present Permanent Commission appointed to deal with the disarmament question could not be satisfactory, because it was exclusively composed of military experts. The peoples of the world were tired of the burden of armaments, and he suggested the possibility that armies which seemed so large on paper might not turn out to be so in reality when the peoples found that they had been deceived in their hopes. It was necessary for the Assembly to take into consideration the feelings which prevailed in the Labour world.

133. As the result of these discussions, Dr. Lange admitted that it was impossible during the present session to reach a definite solution on the general problem of disarmament, and that therefore the Assembly should do its best to create the necessary machinery to prepare a plan for consideration at the next session. It was then decided to appoint a sub-committee of nine members, nominated by the Chairman. The sub-committee had no specific instructions, but considered *inter alia* the questions of the arms traffic, the steps to be taken under paras. 5 and 6 of Article VIII. of the Covenant in regard to the private manufacture of munitions, &c., and the interchange of information as to armaments.

134. The Report of this sub-committee, which was adopted by the full Committee, and presented by Mr. Fisher, as *rapporteur*, to the Assembly on 14th December, is printed in Appendix III. (Annex. 14).

It contains three draft Resolutions. The first of these invites the Council to urge on all Governments the necessity for speedy adherence to the Arms Traffic Convention drawn up at St. Germain in September 1919 (which was designed to stop the unlicensed exportation of arms and munitions to inflammable portions of the world, such as the Persian Gulf, but on which no real action had been taken), as also for its ratification by Powers that had already signed. These last include Great Britain, the Dominions and India, France, the United States of America, Japan, Italy, Greece and Belgium.

135. The second Resolution refers to the condemnation by Article VIII. of the Covenant of the manufacture by private enterprise of munitions and implements of war, and requests the Council to investigate this serious problem without delay. It also suggests that attention should be given to the possibility of utilising the International Office of Control over the traffic in arms, when

created under the Arms Traffic Convention, to deal likewise with questions relating to private manufacture.

136. The third, and most important, Resolution deals generally with the steps towards disarmament prescribed in the first four paragraphs of Article VIII. of the Covenant. It should be noted that the Report recognises that progress must be gradual, and suggests three stages—*first*, a limitation on the growth of armaments; *second*, a progressive reduction; while the culminating *third* stage would be final disarmament in the sense recognised by para. 1 of Article VIII. as requisite for the maintenance of peace, *i.e.*, reduction “to the lowest point consistent with national safety and the enforcement by common action of international obligations.” The Resolution, after a general preamble, was mainly concerned with supplementing existing machinery with a view to accelerating reduction and providing for the publication, exchange, and, if possible, verification of information on the subject; but it finally proposed one positive step in the direction of the initial process of a limitation on the further growth of armaments, which will be dealt with presently.

137. The preamble of this Resolution, besides referring to Article VIII. of the Covenant and to the preamble of Part V. of the Treaty of Versailles and other Treaties, goes on to cite the pronouncement made by the Supreme Council on 8th. March 1920, that “in order to diminish the economic difficulties of Europe, armies should everywhere be reduced to a peace footing, that armaments should be limited to the lowest possible figure compatible with national security, and that the League of Nations should be invited to examine proposals to that end without delay.” It also quotes the Resolution of the International Financial Conference at Brussels, earnestly urging the general reduction of “the crushing burdens which, on their existing scale, armaments still impose on the impoverished peoples of the world.” On the other hand, the preamble points out that a complete and comprehensive scheme of disarmament depends upon the following conditions: first, under the responsibility of the Powers signatory to the Treaties of Peace, upon the complete fulfilment of the reduction of armaments imposed by the said Treaties on certain of these Powers; secondly, upon the exercise, as occasion may demand, of the right of investigation accorded by these Treaties to the Council of the League of Nations, in order to maintain this reduction; and lastly, upon the collaboration of the great military Powers which have hitherto remained outside the League.

138. After this preamble the Resolution invites the Council to act as follows:—

- (a) To request the Permanent Advisory Commission for Military, Naval and Air Questions rapidly to complete its technical examination into the present condition of armaments.
- (b) To instruct a temporary Commission, composed of persons possessing the requisite competence in matters of a political, social and economic nature, to prepare, for submission to the Council in the near future, reports and proposals for the reduction of armaments as provided for by Article VIII. of the Covenant.
- (c) To form within the Secretariat a section to serve as a centre of information for the Commission in question, and also as a channel for the publication and exchange of the information referred to in the Covenant.
- (d) To consider the mechanism by means of which the military information to be exchanged under the provisions of Article VIII. of the Covenant can be verified, in the event of the principle of mutual verification by Members of the League being confirmed by an amendment of the Covenant.

139. Finally, in clause (e) of the Resolution as proposed, the Assembly was to “request” the Council, pending the full execution of the steps for the reduction of armaments recommended by Article VIII. of the Covenant, to submit for the consideration of the Members of the League the acceptance of an undertaking not to exceed, for the first two financial years following the next financial year, the sum total of expenditure on military, naval and air services provided for in the budget of the last-mentioned period, subject, however, to account being taken of—

- (1) any contribution of troops, war material and money recommended by the League of Nations, with a view to the fulfilment of obligations imposed by Article XVI. of the Covenant or by the treaties registered by the League;

- (2) exceptional conditions notified as such to the Council of the League of Nations in accordance with the spirit of paras. 2 and 6 of Article VIII. of the Covenant.

140. As regards clause (b) in para. 138 above, Mr. Fisher drew attention to the fact that the existing Permanent Military, Naval and Air Commission appeared to be too exclusively a body of military, &c., experts. It was, therefore, desired to supplement their deliberations by special non-military committees appointed from time to time. Mr. Fisher also observed, with reference to a report on poison gas on which the Permanent Commission had been engaged, that matters were not yet ripe for a revision of the laws of warfare; the first step was to prepare the way for a reduction of armaments. Clause (e) (para. 139 above) made a specific proposal in this direction, but Mr. Fisher pointed out that its acceptance by the Assembly would not bind the Governments of the States belonging to the League to carrying out the particular plan it set forth, and he himself was unable to commit his Government at present. Similar reservations were then made by the Belgian and Spanish representatives.

141. It thus became clear that clause (e) was in effect merely an advice to the Governments. Even so, however, it was opposed by M. Bourgeois, on behalf of France, on the grounds that it was not fair to compare the budgets of States which had taken part in the war with those of neutral Powers; that the war budgets of the different countries were not prepared in the same way, *e.g.*, one might include under military outlay expenditure which in another might be classified under some civil head; and that present economic and exchange conditions made the estimates in different countries of very different real value.

142. After considerable discussion the first two Resolutions and clauses (a) to (d) of the third, were unanimously passed. As regards clause (e) of the third Resolution, the President suggested that it might be made still less positive by substituting a recommendation to the Council instead of a request, and that as a mere "Recommendation" it would not require a unanimous vote. This procedure was agreed to, but even as a "Recommendation" the proposal did not obtain unanimous assent. M. Schanzer (Italy) and Lord Robert Cecil thereupon insisted on a roll call vote being taken in order that those who were prepared to vote against the Recommendation might publicly accept the responsibility of their action. A roll call was accordingly taken, and the Recommendation was carried by 30 votes to 7. The States voting in the minority were France, Poland, Rumania, Greece, Brazil, Chile and Uruguay. It may be noted that, though voting by roll call is the rule and not the exception under the Rules of Procedure (No. 20), this occasion (14th December) was the first during the session on which a public roll call vote had been taken. The usual method on a division was to ask the leader of each Delegation to rise from his seat in response to the question "Aye or No" and to decide the result by counting those who stood up:

Copy of the three Resolutions and of the Recommendation adopted are attached (Appendix II., Resolutions Nos. 24-26, and Recommendation No. 2).

Mandates.

143. The lack of precise expression in the last two paragraphs of Article XXII. of the Covenant had caused widespread doubt (which was reflected in the sub-committee) on the following questions:—

- (1) What was the extent of the League's responsibilities.
- (2) Whether these responsibilities fell upon the Council or the Assembly.

The sub-committee, of which Dr. Nansen was Chairman, did not attempt to solve these questions, as they found that it had been assumed that "the Principal Allied and Associated Powers," and not the League itself, were to be the Mandators (a decision based on the absence of express language to the contrary in the Covenant, and on the implications of Articles 118 and 119 of the Treaty of Versailles); and that as regards the remaining functions, of confirming the appointment of Mandatories, defining the scope of the different classes of mandate, and constituting a Mandates Commission to examine the annual reports of the Mandatories, these questions were already in the hands of the Council. As regards the scope of the mandates, the reference in the penultimate paragraph of Article XXII. to a hypothetical previous agreement by the Members of the League regarding the degree of the Mandatories' authority, control or administration had been elaborately explained away in a Report

by Mr. Hymans, adopted by the Council on 5th August 1920, to the effect that the framers of the Covenant assumed that Conventions governing mandates would be included in a later chapter of the Treaty of Versailles, so that "the Members of the League" would have meant the signatories of the Treaty other than Germany; and that as this assumption had turned out to be incorrect, the question of previous agreement did not arise.

It may be noted that on 20th November the Secretary-General circulated to delegates a memorandum received from the German Government, in which the latter contended that only the League could nominate the Mandatories, and that the Assembly was the proper authority for settling the terms of the mandates and appointing the Mandates Commission, and protested against any other solution as a violation of the Treaty of Versailles.

144. The attitude taken by the Council *vis-a-vis* the Assembly was that the responsibilities of the League in the matter of mandates fall within its own exclusive competence. It was, therefore, somewhat perplexing that the question should have been placed by the Council on the Assembly's agenda. The reason for this step was apparently that the Council considered it its duty to make a special Report to the Assembly on the decisions which it had taken up to that date, when the most important decisions—as to the terms of the mandates—were still pending owing to the non-receipt of the draft mandates under preparation by the principal Powers.

The sub-committee held that, even so, on the admission of Mr. Rowell, as *rapporteur* on the question of the relations between the Assembly and the Council, if the Council submitted a matter within its own competence to the Assembly, the latter body had a perfect right to make suggestions in regard to it [*see* para. 17 (4) above].

145. In some correspondence between the sub-committee and the Council, the sub-committee expressed in very strong terms the hope that all the mandates might be defined before the end of the session, and was of the opinion that a failure to dispose of the question during the session would be a disaster for the League of Nations. The sub-committee, therefore, requested the Council to lay before it any draft mandates which it had received for consideration. The Council consented to communicate the draft mandates for Syria, Mesopotamia, and Palestine, but only confidentially and on condition that no reference to their terms should be made in the sub-committee's Report to the Assembly. No other draft mandates than those mentioned had at that date apparently been received by the Council.

146. The sub-committee's Report had accordingly to be confined, as regards the terms of the mandates, to laying down certain general principles as follows:—

C. Mandates (those for countries which are to be administered as integral portions of the Mandatory's territory) called for no observations, as the terms are already sufficiently defined in the Covenant.

As regards *B. Mandates* (the class to which the Central African territories belong), the conditions in the Covenant are also clearly defined, but the intention that the Mandate territories should be administered for the well-being and development of their inhabitants might require closer examination than in the case of the *C. Mandates*.

In regard to *A. Mandates* (for former Turkish territories), the theory of independent States assisted and advised by the Mandatory left room for greater variety in the terms; but it might be generally laid down that the Mandatory State should not abuse its position by increasing its military strength, or by favouring itself or its friends in the exploitation of the country; and it should pass an organic law, which should be submitted to the League before coming into operation.

147. The sub-committee also dealt with the question of the Mandates Commission. As regards the functions of this Commission, M. Hymans' report adopted by the Council on 5th August 1920 (*see* para. 143 above) had expressed the view that the League's right of supervision extended beyond the mere task of ascertaining whether the Mandatory had acted in accordance with the terms of its mandate; and that the annual report of the Mandatory should cover the whole moral and material situation of the peoples under its rule. In regard to the constitution of the Commission,

M. Hymans had favoured the inclusion of a representative from each Mandatory, and a majority of other members who should be private individuals chosen by the Council from nationals of non-Mandatory Powers. On the basis of this proposal the Secretary-General prepared a draft constitution, giving a member to each of the seven Mandatories, and adding eight members who were, however, to be chosen from nominees of the non-Mandatories by the Assembly and not by the Council.

The Council subsequently, at its Geneva meeting on 1st December, decided on a smaller Commission of nine members appointed by the Council for their personal qualifications, and to contain in any case a majority of non-Mandatories' nationals. Each Mandatory State's report should, however, be examined with the assistance of an authorised representative of that State, though he would attend only in the capacity of an assessor.

This was the solution which had been favoured by the Empire Delegations, including India, when the matter was informally discussed with reference to the attitude to be adopted by the British representative in the Council. We were not in favour of the Secretary-General's scheme, as it gave too large a proportion of the representation to Mandatory States as such.

148. The sub-committee of the Assembly made the following proposals with regard to this Commission : that its members should not be dismissed without the assent of the majority of the Assembly ; that at least one of them should be a woman ; and that the Mandatories should be asked to present reports on their *interim* administration prior to the grant of the mandates.

The Report of the sub-committee finally regretted that, owing to the course the Council had taken, there had been no opportunity for the public consideration of the draft mandates before they come into force, and trusted that if any further delay should unfortunately take place, the draft mandates would be forthwith published.

149. Owing to pressure of time the sub-committee's Report (which is reproduced in Appendix III., Annex 15) was not considered by the full Committee, but was presented direct to the Assembly on the 18th December. After a prefatory remark by Dr. Nansen that the effectiveness of the Mandate system would be regarded by critics as a test of the sincerity of the League, Lord Robert Cecil presented the Report and dwelt particularly on the request for publicity in respect of the draft mandates. M. Loeffgren (Sweden) and Mr. Doherty (Canada) also spoke in favour of the Report. Mr. Balfour, however, made a speech in which he objected to the general tone of the Report and of the debate, as indicating a claim on the part of the Assembly to dispute the Council's exclusive control of the question. As regards the specific proposals, he reserved the Council's freedom of action so far as the British representative was concerned. Lord Robert Cecil then disclaimed any desire to take the matter out of the hands of the Council, and after a conciliatory speech by M. Bourgeois the suggestions made in the Report were adopted by a majority of the Assembly—Senator Millen (Australia) voting against them—in the form of Recommendations (Appendix II., Recommendation No. 10).

150. Throughout these discussions, and at occasional informal conferences between the Empire Delegations, we bore in mind the special interests of India in maintaining the status of her nationals on an equality with those of other members of the League in respect of the Mandate territories. The Council, however, did not allow the question of the terms of the mandates to pass into the hands of the Assembly, and it is believed that it had not itself received the drafts of the B. Mandates before the session was closed, nor those of the C. Mandates until the last days of the session.

It was expected that equal treatment of the nationals of all Members of the League would be adequately safeguarded by the drafts of the A. and B. Mandates. As regards mandates of the C. class, which are given to the Dominions, the provision in the Covenant for administration under the laws of the Mandatory as an integral portion of its own territories involves, of course, the extension to these new areas of any policy of exclusion of Asiatics as applied in the Dominion itself. This is very regrettable, but cannot be challenged, having regard to the wording of the sixth paragraph of Article XXII. of the Covenant. There seems no reason to fear (as had at one time been suggested) that special concessions will be made to Japan in preference to any other State affected by the adoption of the C. Mandates.

Miscellaneous Questions.

151. Certain Resolutions and Recommendations were adopted by the Assembly on various questions which were not originally on its agenda and were not referred to any of its Grand Committees. Thus on 23rd November, on the motion of Jonkheer van Karnebeek (Netherlands), it was resolved, in regard to the registration with the Secretariat, and publication, of treaties and international engagements under Article XVIII. of the Covenant :—

“ That the Council should be called upon to entrust the examination of the scope of Article XVIII. of the Covenant, from a legal point of view, to a special Committee, which would prepare for the Council all relevant proposals. The Council would then report on the question to the next General Assembly, and place before it the proposals of the special Committee.”

152. On the same day, on the proposal of Lord Robert Cecil, two Resolutions were adopted, one requesting the Council to take into consideration the means of securing greater publicity for their proceedings, and the other in favour of the immediate publication of papers in regard to the dispute between Poland and Lithuania.

153. These motions were presented in the course of the debate on the General Report on the work of the Council (Item No. 6 on the agenda), which covered the whole field of the Council's activities during the year. But Mr. Barnes secured a special debate, on 4th December, on a motion which, however, he did not press to a division, upon the subject of the Council's attitude in regard to the hostilities between Poland and Soviet Russia.

154. Interesting pronouncements were made at different times by the representatives of Japan and China on the subject of the policies of those countries in connection with the League.

On 30th November Viscount Ishii recalled Japan's desire, at the time when the Covenant was framed, to see the equality of individuals before the law established as a world principle irrespective of nationality, race or religion. The Japanese delegates to the Peace Conference had declared that they would continue to press for the adoption of this principle by the League in future; but Viscount Ishii announced that Japan refrained from making any concrete proposal during that session of the Assembly as to equal opportunity and treatment, as she was persuaded that for the present precedence must be given to the consolidation of the League on the basis of the existing Covenant. The relevant extract from Viscount Ishii's speech is printed in Appendix V. (Annex 5).

155. On 18th December Mr. Wellington Koo made a declaration on behalf of his Government, reserving China's right, and stating her intention, to bring before either the Assembly or the Council (of which China is now a Member) several subjects of vital interest to herself, affecting international relations, which she had refrained from bringing before the Assembly during its first session while its attention was being devoted to perfecting the organisation of the League. This declaration is printed in Appendix V. (Annex 6), and has, no doubt, primary reference to the question of Shantung.

156. It remains to notice the action of the Assembly in regard to the position in Armenia. The subject was raised during the debate on the General Report on the work of the Council by Lord Robert Cecil, who gave notice of a motion to request action on the part of the Council with a view to establishing a permanent settlement of that country. This was debated on the 22nd November, and M. Viviani (France) proposed that steps be taken at once to mediate between Armenia and the Kemalists. Ultimately a Resolution was adopted which both invited the Council to consult Governments with a view to entrusting some Power with the task of taking necessary measures to stop the hostilities between Armenia and the Kemalists, and proposed the appointment of a special Committee of six members to consider and report to the Assembly what steps could be taken to put an end to these hostilities (*see* Appendix II., Resolution No. 4). This Resolution was carried unanimously, though Mr. Balfour had expressed grave scepticism as to the possibility of conducting negotiations with a chief like Kemal.

157. On 25th November the Council accordingly telegraphed to the Governments of the States of the League and to the United States of America in the following terms, after reciting the first part of the above Resolution :—

“ The Council begs your Government to state whether it will be disposed, either alone or conjointly with others, to undertake, on behalf of the League of Nations, this great humanitarian mission—a mission which, moreover, entails no obligation of a permanent nature. The Council would be grateful to receive your reply if in the affirmative as soon as possible, so that it may be communicated to the Assembly before the end of the present session.”

The President of the United States replied on 1st December that he would use his good offices and was willing to offer his personal mediation ; the Government of Spain replied that they would co-operate in any steps of a moral and diplomatic nature, and the Government of Brazil also offered co-operation. The reply of the British Government (with which the Government of India associated itself) suggested that Armenia, where it was reported that a Soviet Government had now been installed, might perhaps have already anticipated matters by arranging for peace with either or both of her neighbours (Russia and the Kemalists), and that His Majesty's Government was not willing to accept any independent mission, but would lend moral and diplomatic support to the President of the United States of America.

158. In accordance with the second part of the Assembly's Resolution of 22nd November, a Committee was appointed, consisting of the following delegates : Lord Robert Cecil, M. Lafontaine (Belgium), Dr. Nansen (Norway), M. Pueyrredon (Argentina), M. Schanzer (Italy), and M. Viviani (France). The Report of the Committee (Appendix III., Annex 16), was presented to the Assembly on 18th December by M. Lafontaine : they had little to say, but suggested that the Council should appoint a permanent Committee, and that the latter should carry on work in the direction of providing the Armenians with the means of helping themselves. On the other hand, M. Jonnesco (Rumania) proposed an international expeditionary force of 40,000 men to re-establish peace and order in Armenia. In the end the Assembly passed a colourless Resolution (Appendix II., Resolution No. 33), and the question of further action was left to the Council.

Concluding Remarks.

159. Looking back on the work of the Assembly as a whole, we think that, as claimed for it by Mr. Balfour in the House of Commons, it has been of much value. The Assembly was bound to disappoint the expectations of those impatient idealists who thought it would usher in a new era, and what it was able to do in respect of the limitation of armaments fell short of more moderate expectations. Account has, however, to be taken of the atmosphere of mutual suspicion to which this question still gives rise, of the still disturbed state of the world, and of the facts that the disarmament of Germany is not yet fully accomplished, and that Russia and the United States are outside the League and untrammelled by any decisions it may take with reference to its own Members. But leaving this aside, the Assembly made very considerable progress, in an unostentatious way, towards fulfilling the intentions with which the League was called into existence, and what it accomplished paves the way for further and faster progress hereafter.

160. It has to its special credit the final establishment of the Permanent Court of International Justice at The Hague. It has established important technical organisations to deal with communications and transit, and health, and has endorsed generally the action taken by the Council to render more effective the decisions arrived at in the Brussels Financial Conference. It has fixed its rules of procedure, and defined the relations between itself and the Council in a way which will, at any rate, suffice at the outset. It has set on foot machinery for obtaining amendments to the Covenant where these may be found necessary. It has taken measures to expedite the consideration of the adequate carrying out of the economic blockade contemplated by the Covenant in the case of a Covenant-breaking State ; and it has put forward an opinion in regard to the limitation of expenditure on armaments to that accepted by the various States for the coming financial year, which must, at any rate, carry weight. It has emphasised the necessity for an international campaign against

typhus and cognate diseases in Eastern Europe, and for the relief of children in war areas. It has arranged for international action under the League in respect of the carrying out of the Hague Convention for the control of opium and other harmful drugs, and in respect of the "white slave" traffic. It made a praiseworthy, though somewhat hopeless, attempt to deal with the difficulties of Armenia; and in admitting new Members to the League it has, with the general assent of the British Empire Delegations, included two ex-enemies, Austria and Bulgaria. Lastly, it has asserted the control of the Assembly in matters of League finance, and it has taken measures—excellent in themselves, though we of the Indian Delegation do not consider them fully adequate—for the establishment of economy and method in the expenditure of the League, and for a revision of the present unsatisfactory system under which the League expenses are distributed among the Member-States.

161. One very significant fact which struck us was that when the Assembly met the delegates, for the most part strangers to one another, were mutually suspicious, and looked entirely to the interests of their own States. But before the Assembly concluded, there was the beginning of what may be called an Assembly consciousness, delegates realising that they had a duty to the world at large as well as to their own country. If, as will probably be the case, the majority of the delegates to the recent Assembly are also members of the next, and consequently meet with mutual knowledge, this tendency will rapidly develop. It will also be stimulated by what is likely to be a feature of the future, the further assertion by the Assembly, as the democratic element in the League, of claims as against what may come to be regarded as the oligarchic pretensions of the Council. It is significant, too, that in electing representatives of "secondary" States to the Council, the Assembly adopted the view that one of the four should be taken from outside Europe and America, and in pursuance of this policy selected China.

162. As regards the part played by India in the Assembly, our effort to obtain a reconsideration of the Council's decision declining to take early action on India's appeal for immediate representation, as a great industrial Power, on the Governing Body of the Labour Organisation, met with failure, Committee No. II. and the Assembly holding, as they were justified in doing on technical grounds, that the matter was not one in which they could interfere with the prerogatives of the Council. But we attracted universal attention to the danger, which the present constitution of this Governing Body exemplifies, of the undue predominance of Europe in bodies which deal with matters affecting the world at large, and we rendered it practically impossible that the constitution of the Labour Governing Body should be repeated on other Standing Committees. In fact, as has been brought to notice in dealing with these, we obtained a definite pronouncement that the members of the Advisory Committees on Health and Transit should be selected *inter alia* with reference to geographical considerations.

163. Our attitude and attainment in respect of questions of League finance, where we took a leading part, have been summarised in para. 114, and though, as there stated, we did not achieve all that we wished, we can claim that but for us the financial reforms which have been effected would have been of a far less important character. In dealing with this matter, we were, as has been stated, efficiently supported by the Dominions, and our relations with the Dominions' delegates throughout were of a very cordial nature. This fact may, it is hoped, bear fruit hereafter when questions arise as regards India's relations with the Dominions in such matters as emigration.

164. We were also on most cordial terms with the British Delegation, and were every now and then indebted to Mr. Balfour for kindly and useful advice. The absolute independence of India, as of the Dominions, in regard to her attitude and voting on questions coming before the Assembly and its Committees was fully recognised; but, like the Dominions, we felt that when our own interests were not directly or indirectly concerned we should endeavour to keep step with the mother country, and there were frequent informal meetings to this end between the various Empire Delegations.

165. To conclude, we venture to think that the remark made in the *Times* review of the events of 1920, that at the Assembly of the League of Nations at Geneva the Indian Delegation took such a share in the discussions as showed that India had become an influential participant in the councils of the world,

was in accordance with actual facts; and we have the satisfaction of feeling that we three representatives of India worked together in the most cordial and harmonious way, and that there was not the least difference of opinion between us on matters of any importance.

W. S. MEYER.

• BANJITSINHJI OF NAWANAGAR.

• MD. ALI IMAM

LONDON,
10th January 1921.

LIST OF APPENDICES.

	PAGE
Appendix I. List of States represented and of Delegations	47
Appendix II. Resolutions and Recommendations passed by the Assembly :—	
• Resolutions	49
• Recommendations	60
Appendix III. Reports of Committees of the Assembly on the following subjects :—	
Annex 1. Rules of Procedure (<i>see</i> para. 10)	61
" 2. Relations between and respective competence of Council and Assembly (<i>see</i> para. 16)	61
" 3. Method of electing the non-permanent Members of Council (<i>see</i> para. 18)	63
" 4. Typhus (<i>see</i> para. 26)	65
" 5. General Report on Technical Organisations (<i>see</i> para. 31)	66
" 6. General supervision over the execution of agreements with regard to the Traffic in Opium, &c. (<i>see</i> paras. 60 and 64)	75
" 7. Passports for members of the Secretariat (<i>see</i> para. 67)	79
" 8. Permanent Court of International Justice: Report of sub-committee (<i>see</i> para. 83)	80
" 9. Permanent Court of International Justice: Report of Committee No. III. (<i>see</i> para. 83)	85
" 10. Permanent Court of International Justice: Salaries of Members of the Court (<i>see</i> para. 87)	87
" 11. Staff and organisation of Secretariat (<i>see</i> para. 94)	88
" 12. The budgets, financial organisation and question of allocation of expenses (<i>see</i> para. 104)	89
" 13. Economic weapon (<i>see</i> para. 125)	95
" 14. Armaments (<i>see</i> para. 134)	97
" 15. Mandates (<i>see</i> para. 149)	100
" 16. Situation in Armenia (<i>see</i> para. 158)	101
Appendix IV. Speeches delivered by the Indian delegates on the following subjects :—	
Annex. 1. Speech by H. H. the Maharaja Jam Saheb of Nawanagar on Typhus in Poland (<i>see</i> para. 28)	102
" 2. Speech by Sir William Meyer on the general supervision over the Traffic in Opium, &c. (<i>see</i> para. 64)	103
" 3. Speech by Sir William Meyer on India's claim to representation on Governing Body of the Labour Office (<i>see</i> para. 66)	104
" 4. Speech by Sir Ali Imam on India's claim to representation on Governing Body of the Labour Office (<i>see</i> para. 66)	105
" 5. Speech by H. H. the Maharaja Jam Saheb of Nawanagar on Secretariat and financial organisation (<i>see</i> para. 94)	106
" 6. Speech by Sir Ali Imam on Secretariat and financial organisation (<i>see</i> para. 94)	107
" 7. Speech by Sir William Meyer on the budgets, &c. (<i>see</i> para. 109)	107
Appendix V. Miscellaneous Annexes :—	
Annex 1. Rules of Procedure adopted by the Assembly (<i>see</i> para. 10)	109

Appendix V.—contd.

Annex 2. Report of the Typhus Commission presented to Committee No. II. (<i>see</i> para. 25)	112
„ 3. Statement by M. de Andrade (Portugal) on question of opium (<i>see</i> para. 62)	114
„ 4. Amendments to the Report on the Budgets, &c., tabled by the Indian Delegation (<i>see</i> para. 109)	115
„ 5. Extract from speech by Viscount Ishii regarding Japan's attitude in connection with the League (<i>see</i> para. 154)	115
„ 6. Statement by Mr. Wellington Koo regarding China's policy in connection with League (<i>see</i> para. 155)	116

Appendix VI. :—

Annex 1. Statute of the Permanent Court of International Justice (<i>see</i> para. 85)	117
„ 2. Protocol (and optional clause) for adhesion to the statute of the Court (<i>see</i> para. 86)	122

APPENDIX I.

List of States represented and of their Delegates. (Many Delegations were accompanied by Substitute Delegates other than those mentioned in List and numerous Expert Advisers.)

ARGENTINA	M. H. Pueyrredon (Minister of Foreign Affairs). M. M. T. de J. (Argentine Minister in Paris). Mr. Fernando Perez (Argentine Minister in Vienna).
AUSTRALIA	Senator the Hon. Edward Davis Millen (Minister of Repatriation).
BELGIUM	M. Paul Hymans (former Minister of Foreign Affairs, Minister of State, Belgian Representative on the Council of the League of Nations). M. P. Poulet (former President and Member of House of Representatives). M. H. Lafontaine (Senator, President of the Union of International Associations, Vice-President of Senate).
BOLIVIA	M. Félix A. Aramayo. M. Florian Zambrana. M. Frans Tamayo.
BRAZIL	M. Rodrigo Octavio (Under Secretary of State for Foreign Affairs). M. Gastao Da Cunha (Brazilian Ambassador to the French Republic). M. Brazilian Representative on the Council of the League of Nations. M. Raul Fernandes (Member of the Federal House of Representatives, former Plenipotentiary to the Peace Conference).
BRITISH EMPIRE	The Right Hon. A. J. Balfour, O.M., M.P. The Right Hon. L. Fisher, M.P. The Right Hon. G. N. Barnes, C.H., M.P.
CANADA	The Right Hon. Sir George E. Foster, G.C.M.G., M.P. (Minister of Trade and Commerce). The Right Hon. Charles Joseph Doherty, M.P. (Minister of Justice and Attorney-General). The Hon. New Wesley Rowell (former President of the Privy Council).
CHILE	M. Antonio Huneeus (former Minister of Foreign Affairs, former Minister of Justice and Education, former Member of the Chamber of Deputies). M. Manuel Rivas-Vicuña (Envoy Extraordinary, Minister Plenipotentiary, former State Councillor, former Minister and Minister of Finance, former Member of the Chamber of Deputies). M. Francisco Subercaseaux (Minister Resident, former Governor of Santiago).
CHINA	M. Vikiuin Wellington Koo (Envoy Extraordinary and Minister Plenipotentiary of China in Washington and recently appointed Chinese Minister in London). M. Tang Tsai-Fou (Envoy Extraordinary and Chinese Minister Plenipotentiary at The Hague). M. Sun-T'wei (Chinese Minister at Brussels).
COLUMBIA	Dr. Francisco José Urrutia (Envoy Extraordinary and Minister Plenipotentiary in Switzerland and Spain). Dr. Antonio José Restrepo (Attorney Councillor of the Columbian Legation in Berne).
CUBA	Dr. Aristides De Agüero y Bethancourt (Envoy Extraordinary, Minister Plenipotentiary in Germany). Dr. Rafael Martínez Ortiz (Envoy Extraordinary, Minister Plenipotentiary in France). Dr. Ezequiel García Enseñat (Envoy Extraordinary and Minister Plenipotentiary in Italy).
CZECHO-SLOVAKIA	M. Edouard Benes (Minister of Foreign Affairs). Dr. S. Osvoboda (Minister in France). Dr. Cyrill Dusek (Minister in Switzerland).
DENMARK	M. Herluf Zable (Envoy Extraordinary and Minister Plenipotentiary in London). H. M. the King of Denmark in Stockholm). M. L. Moltesen (Member of Parliament). M. P. R. Munch (Ph. D., former Minister of National Defence, Member of Parliament).
FRANCE	M. Léon Bourgeois (President of the Senate, French Representative on the Council of the League of Nations). M. René Viviani (Member of the Chamber of Deputies, former Prime Minister). M. Gabriel Hanotaux (Member of the French Academy, former Minister of Foreign Affairs).
GREECE	M. Nicholas Politis (Minister of Foreign Affairs). M. Michel Kelesidis (Minister in Berne). M. Demetrius Caclamanos (Minister in London replaced by M. Panas, Minister of Greece at Prague, former Minister of Foreign Affairs).
GUATEMALA	Licenciado don Manuel Valladares (Minister in France, former President of the Chamber of Representatives). Dr. don Manuel Arroyo (Minister in London). Don Julio Herrera (Confidential Agent of the Government of Guatemala in France).
HAITI	M. Auguste Bonamy. M. Frédéric Doret.
INDIA	Sir William Stevenson Meyer, G.C.I.E., K.C.S.I. His Highness Maharaja Jam Shri Ranjitsinhji Vibhaji, G.B.E., K.C. (Maharaja Jamsahab of Nawanagar). Sir Saiyid Ali Imam, K.C.
ITALY	M. Tommaso Tittoni (President of the Senate, Minister of State, Ambassador, Italian Representative on the Council of the League of Nations). M. Enrico de Nicola (President of the Chamber of Deputies). M. Ivane Bonomi (Minister of War, Member of Chamber of Deputies).
	Substitutes :—M. Carlo Schanzer (Senator, Vice-President of the Senate, former Minister). M. Bortolo Belotti (Member of Chamber of Deputies, former Under Secretary of State). M. Giorgio Ferraris (Senator, former Minister).

- JAPAN Baron G. Hayashi (Japanese Ambassador to Great Britain). Viscount K. Ishii (Japanese Ambassador to the French Republic, former Minister of Foreign Affairs). Baron T. Megata (Member of House of Peers).
- LIBERIA Baron R. A. L. Lehmann (Chargé d'Affaires in Paris). M. N. Ooms (Secretary Chancellor of Legation).
- NETHERLANDS Jonkheer H. A. van Karnebeek (Minister of Foreign Affairs). Jonkheer J. Loudon (Envoy Extraordinary, Minister Plenipotentiary in Paris, former Minister of Foreign Affairs). M. D. Fock (Governor-General Designate of the Dutch Indies, former Minister of Colonies).
Substitutes :—M. A. A. H. Struycken (Member of the State Council, Member of the Permanent Court of Arbitration). M. B. C. J. Loder (Member of the Supreme Court at The Hague). Jonkheer W. J. M. van Eysinga (Professor of Law at the University of Leydon).
- NEW ZEALAND Colonel the Hon. Sir James Allen, K.C.B. (High Commissioner).
- NICARAGUA M. Carlos A. Villanueva.
- NORWAY Dr. F. Hagerup (former Prime Minister, Envoy Extraordinary, Minister Plenipotentiary at Stockholm). M. O. Blehr (former Prime Minister, Governor of Christiania). Dr. Fridtjof Nansen (Professor at the University of Christiania).
- PANAMA Don Narciso Garay (Envoy Extraordinary and Minister Plenipotentiary, former Secretary for Foreign Affairs). Dr. Don Harmodio Arias (Envoy Extraordinary and Minister Plenipotentiary, Member of Permanent Court of Arbitration at The Hague).
- PARAGUAY Dr. Héctor Velázquez (Envoy Extraordinary and Minister Plenipotentiary of Paraguay).
- PERSIA His Highness Prince Arfaed Dowleh (former Minister of Justice and former Ambassador). Emir Zoka-ed-Dowleh (Envoy Extraordinary and Minister Plenipotentiary in Switzerland).
- PERU Don Anselmo V. Barreto (Envoy Extraordinary and Minister Plenipotentiary in Spain). Don Eleodoro Eomero (former Minister of Justice, former Dean of the Law Faculty of Lima). M. Francisco Garcia Calderon (Envoy Extraordinary and Minister Plenipotentiary in Belgium).
- POLAND M. L. J. Paderewski (Member of the Chamber of Deputies, Minister Plenipotentiary, former Prime Minister and former Minister of Foreign Affairs). Professor S. Askenazy (Minister Plenipotentiary).
- PORTUGAL M. Affonso Costa (former President of the Council). M. João Chagas (former President of the Council, Minister Plenipotentiary of Portugal in France). Colonel Freire de Andrade (former Minister of Foreign Affairs).
- ROUMANIA M. N. Titulesco (Minister of Finance, replaced by Dr. Dimitrie Jancovici, Doctor of Law). Professor Thomas Jonnesco (Member of Parliament, former Rector of the University of Bucarest). M. Negulesco (Professor of Law of the University of Bucarest).
- SALVADOR Dr. J. Gustavo Guerrero (Minister in Spain and Italy). Don Pedro-Jaime Matheu (Chargé d'Affaires in France). Don Arturo R. Avila (Chargé d'Affaires in Great Britain).
- SERB-CROAT-SLOVENE STATE. Dr. Miroslav Spalaikovitch (Envoy Extraordinary and Minister Plenipotentiary). Dr. Ivan Zegler (Professor of Law, Ljubljana). Dr. Ladislav Politch (Vice-Rector of the University of Zagreb).
- SIAM His Highness Prince Charoon (Minister in Paris). Phya Buri Navarasth (Minister in London). Phya Bibhad Kosha (Minister in Rome).
- SOUTH AFRICA Sir Reginald Blankenberg, K.B.E. (High Commissioner for the Union of South Africa). The Right Hon. Lord Robert Cecil, K.C., M.P.
- SPAIN Marquis de Lema (Minister of Foreign Affairs). M. Quiñones de León (Ambassador in Paris, Spanish Representative on the Council of the League of Nations). M. Emilio de Palacios (Envoy Extraordinary and Minister Plenipotentiary, Under Secretary of State for Foreign Affairs).
- SWEDEN M. Branting (former Prime Minister). Baron Marks de Wurtemberg (Doctor of Laws, former Judge of the Supreme Court, former Minister). M. Trygger (Doctor of Laws, Senator, former Judge of the Supreme Court).
- SWITZERLAND M. Giuseppe Motta (President of the Swiss Confederation). M. Gustave Ador (former President of the Swiss Confederation). M. Paul Usteri (Member of the Council of State).
- URUGUAY Dr. Juan Carlos Blanco (Minister in France). M. Benjamin Fernandez y Medina (Minister in Spain).
- VENEZUELA Dr. Manuel Diaz Rodriguez (former Minister of Foreign Affairs). Dr. Santiago Key-Ayala (Councillor of the Legation in Switzerland). Dr. Diogenes Escalante (former Member of the Chamber of Deputies).

APPENDIX II.

• Resolutions and Recommendations adopted by the Assembly in the course of its First Session.

(NOTE.—The numeration and wording which follow are not necessarily those which may be ultimately adopted.)*

No.	Date.	RESOLUTIONS.
PUBLICITY OF ASSEMBLY COMMITTEES' PROCEEDINGS.		
1	16 Nov. 1920	The Committees shall keep a record of their deliberations and a Procès-Verbal, which shall be published as soon as possible and shall always be accessible to a Member of the Assembly.
VICE-PRESIDENTS OF THE ASSEMBLY.		
2	16 Nov. 1920	There shall be 12 Vice-Presidents. Each Committee shall nominate its own Chairman. These Chairmen will be Vice-Presidents of the Assembly. The Assembly will elect by secret ballot six other Vice-Presidents.
SUBSTITUTES IN COMMITTEE.		
3	16 Nov. 1920	In addition to the right conferred upon delegates to appoint substitutes in the Assembly, the Delegations may, in the case of Committees, appoint substitutes who have no seat in the Assembly, but such a substitute could not be nominated President or Rapporteur, and would not have the right to a seat in the Assembly.
SITUATION IN ARMENIA.		
4	22 Nov. 1920	The Assembly, anxious to co-operate with the Council, in order to put an end in the shortest time possible to the horrors of the Armenian tragedy, requests the Council to arrive at an understanding with the Governments, with a view to entrusting a Power with the task of taking the necessary measures to stop the hostilities between Armenia and the Kemalists, and The Assembly further decides to nominate a Committee of six members to consider and report to the Assembly during this session the steps, if any, which can be taken for this object.
POLAND AND LITHUANIA.		
5	23 Nov. 1920	That any statements of their case made by Poland and Lithuania, together with all the relevant facts and papers, be forthwith published.
PUBLICITY FOR COUNCIL'S PROCEEDINGS.		
6	23 Nov. 1920	That the Council be requested to take into consideration the means for securing greater publicity for their discussions and decisions.
INTERNATIONAL COMMITTEE OF THE RED CROSS.		
7	23 Nov. 1920	The Assembly of the Nations wishes to express its admiration and gratitude to the International Committee of the Red Cross, for the efforts they have made on behalf of the prisoners of war, and it has the greatest pleasure in acknowledging the importance of the services rendered by the eminent ex-President of the Swiss Confederation, M. Gustav Ador, and by Dr. Nansen, to this organisation and to the cause of humanity.
REGISTRATION OF TREATIES.		
8	23 Nov. 1920	That the Council should be called upon to entrust the examination of the scope of Article XVIII. of the Covenant, from a legal point of view, to a special Committee, which would prepare for the Council all relevant proposals. The Council would then report on the question to the next Assembly, and place before it the proposals of the special Committee.
RULES OF PROCEDURE FOR THE ASSEMBLY OF THE LEAGUE OF NATIONS.		
9	30 Nov. 1920	The Assembly of the League of Nations, after having examined the Draft Rules of Procedure presented by the First Committee, and having heard the Report made by the Rapporteur of the Committee, Signor Ferraris, Representative of Italy, has resolved that these Draft Rules of Procedure, as amended by the Assembly,† be hereby adopted as the Rules of Procedure for the Assembly of the League of Nations.

* See Rule 24 of Rules of Procedure (Appendix V., Annex 1).

† For final text of the Rules as adopted by the Assembly, see Appendix V., Annex 1.

RESOLUTIONS.

No. Date.

PROPOSED AMENDMENTS TO THE COVENANT OF THE LEAGUE OF NATIONS.

- 10 2 Dec. 1920 . The Assembly of the League of Nations decides—
 (a) That the amendments to the Covenant proposed by the Danish, Norwegian, and Swedish Governments shall, at this moment, not be taken into consideration by the Assembly, and
 (b) That the Council be invited to appoint a Committee to study the said proposals of amendments together with any which may be submitted by a Member of the League within a period to be fixed by the Council.

This Committee shall report to the Council, who shall place the conclusions before the Assembly at its next session.

- 11 6 Dec. 1920 . That the motion proposed by the Argentine Delegation and the motion proposed by Mr. Doherty, of the Canadian Delegation, shall not be considered during the present session of the Assembly and shall be referred to the Committee appointed by the Council to deal with amendments to the Covenant.

TYPHUS IN POLAND.

- 12 7 Dec. 1920 . The Assembly resolves—
 To address an urgent and immediate appeal to all the countries of the world for an adequate fund for prosecuting an effective campaign against epidemic disease in Eastern Europe, beginning with Poland as a centre, and that the Office International d'Hygiène Publique, the Comité International de la Croix Rouge and the League of Red Cross Societies, be earnestly asked to co-operate in the matter.

That the President be empowered to nominate a Committee of not more than three delegates of the Assembly to examine the question of the funds necessary for the campaign against Typhus and to take any steps possible before the end of the session of the Assembly to secure these funds.

The Assembly approves of the action taken by the Council and the Reports submitted by the various Committees and sub-Committees of the Assembly which have considered the subject, and pending the result of the appeal feels that it is imperatively necessary to make at once such a beginning of the campaign as may be possible within the limits of the funds already promised.

RELATIONS BETWEEN THE COUNCIL AND THE ASSEMBLY.

- 13 7 Dec. 1920 . The Assembly of the League of Nations decides unanimously to adopt, subject to certain amendments* to paras. II. and X., the Report of Committee I. on the relations between, and respective competence of, the Council and the Assembly.

RELATIONS OF TECHNICAL ORGANISATIONS TO COUNCIL AND ASSEMBLY.

- 14 9 Dec. 1920 . See Appendix III. (Annex 5).

ECONOMIC AND FINANCIAL PROBLEMS.

- 15 9 Dec. 1920 . First Resolution: The Assembly recognises the necessity of an Advisory Economic and Financial Committee and adopts as a consequence the following Resolution:—

In order that the League of Nations may proceed without interruption with the working out of measures of an economic and financial nature which shall be submitted for adoption by Members of the League in accordance with the Covenant of the League, an Advisory Economic and Financial Committee shall be constituted. As soon as this Committee is constituted, it shall replace the provisional technical economic and financial Committee appointed by the Council.

The Council of the League of Nations may summon an Economic and Financial Conference to consider economic and financial problems as circumstances may require, with power to constitute the Advisory Economic and Financial Committee above referred to.

In the regulations to be prepared by the Council for the holding of the Conference, due regard shall be paid to the general principles governing the relations between the technical organisations of the League and the Council, and also to the general provisions that may be adopted for the other organisations, at the same time making such modifications as may be required in view of the object for which the Conference is being called.

Second and Third Resolutions. See Appendix III. (Annex 5).

* See our Report, para. 17.

No. Date. RESOLUTIONS

COMMUNICATIONS AND TRANSIT.

- 16 9 Dec. 1920 1. The Members of the League of Nations are hereby invited to send special representatives to a General Conference on Freedom of Communications and Transit, to meet at Barcelona as soon as possible after the meeting of the Assembly. This Conference shall be invited to:—

(1) Draw up, under conditions laid down in the Resolution regarding the relations between the Technical Organisations and the Council and the Assembly of the League of Nations, the measures which may be taken by the Members of the League in fulfilment of that part of Article XXIII. (e) of the Covenant which concerns freedom of communications and transit, as well as the General Convention on the international regime of transit, of ports, of waterways and of railways referred to in Articles 338 and 379 of the Treaty of Versailles.

(2) Determine under the same conditions whether the measures which it elaborates should take the form of Draft Conventions to be ratified by the Members of the League or of "recommendations" to the various Governments, or of Draft Resolutions to be adopted by the Assembly of the League.

(3) Regulate its own procedure and make suitable arrangements for any subsequent meetings which may be called by the Council by means of special rules and regulations to be adopted by two-thirds of the representatives of the Members of the League.

(4) Hold its subsequent meetings convened by the Council of the League of Nations at Geneva, unless the Council of the League decides otherwise for special and exceptional reasons.

II. The Conference shall likewise be invited to organise an Advisory Committee, the headquarters of which shall be at Geneva. This Committee shall be a consultative and technical body to consider and propose measures calculated to assure freedom of communications and transit at all times, and to assist the Council and Assembly of the League in discharging the functions entrusted to the League by Article XXIV. of the Covenant and by Articles 342, 377 and 378 of the Treaty of Versailles, and the corresponding Articles in the other Treaties.

The Committee may arrange for any future Conference and prepare its agenda; it will exchange all requisite information concerning communications and transit with the appropriate technical Ministries of the Members of the League; it will be entrusted with the investigation of any disputes which may be referred to the League under Articles 336, 376 and 386 of the Treaty of Versailles, and corresponding Articles in the other Treaties of Peace, and will endeavour to adjust such disputes whenever possible by conciliation between the parties; in the event of such disputes being brought before the Permanent Court of International Justice, the Committee may be called upon to assist the Court.

III. The Secretary-General of the League of Nations will render every possible assistance to the General Conference and to the Committee; he will, with the assistance of the existing Committee of Enquiry on Freedom of Communications and Transit, take the necessary measures for the meetings of the Conference, and he will designate members of the International Secretariat to act as Secretaries of the Conference and of the Advisory Committee.

IV. The general expenses of the Conference and of the Committee, and the travelling and subsistence allowances of the members of the Committee only, shall be defrayed out of the general funds of the League.

SETTLEMENT OF CERTAIN DISPUTES UNDER TREATY OF VERSAILLES.

- 17 9 Dec. 1920 See Appendix III. (Annex 5) under "Jurisdiction on Communications and Transit."

COMPOSITION OF TRANSIT AND COMMUNICATIONS ADVISORY COMMITTEE.

- 18 9 Dec. 1920 This Committee will be composed of members appointed by the Members of the League represented permanently on the Council, one representative for each of those Members, together with members to be appointed as determined by the Conference, taking into account as far as possible technical interests and geographical representation. The total number of members of the Committee shall not exceed one-third of the Members of the League.

HEALTH ORGANISATION.

- 19 10 Dec. 1920 . In pursuance of the Covenant of the League of Nations, and in order to facilitate the discharge by the League of Nations of the responsibilities which may be placed upon it by provisions of the various Treaties of Peace, the Assembly of the League of Nations resolves as follows :—

That in accordance with the provisions of Article XXIV. of the Covenant, the Assembly approves of the Office International d'Hygiène Publique being placed under the direction of the League of Nations and that an International Health Organisation as hereinafter provided (of which the Office International d'Hygiène Publique shall be the foundation) shall carry out the provisions of the International Agreement signed at Rome, 9th December 1907, and also advise the League of Nations on all questions arising out of Article XXIII. (f) and XXV. of the Covenant.

Functions of the Organisation.

The main functions of the organisation may be summarised under the headings which follow, and their exercise shall be determined by the Standing Committee :—

- (a) To advise the League of Nations in matters affecting health.
- (b) To bring administrative Health Authorities in different countries into closer relationship with each other.
- (c) To organise means of more rapid interchange of information on matters where immediate precautions against disease may be required (e.g., epidemics) and to simplify methods for acting rapidly on such information where it affects more than one country.
- (d) To furnish a ready organisation for securing or revising necessary international agreements for administrative action in matters of health, and more particularly for examining those subjects which it is proposed to bring before the Standing and General Committees, with a view to International Conventions.
- (e) In regard to measures for the protection of the worker against sickness, disease and injury arising out of his employment which fall within the province of the International Labour Organisation, the International Health Organisation will co-operate with and assist the International Labour Organisation, it being understood that the International Labour Organisation will on its side act in consultation with the International Health Organisation in regard to all health matters.
- (f) To confer and co-operate with international Red Cross Societies and other similar societies, under the provisions of Article XXV. of the Covenant.
- (g) To advise, when requested, other voluntary organisations in health matters of international concern.
- (h) To organise missions in connection with matters of health at the request of the League of Nations and with the concurrence of the countries affected.

The permanent International Health Organisation shall consist of :—(1) the Office International d'Hygiène Publique, which, with certain additions set out below, will become the General Committee ; (2) a Standing Committee ; and (3) an International Health Bureau. In carrying out its duties the organisation shall conform to the general principles laid down in the Resolution of the Council, as to the relations between the Technical Organisations and the Council and the Assembly of the League of Nations, passed at Rome, 19th May 1920.

The Office International d'Hygiène Publique.

The Office International d'Hygiène Publique changed as indicated below shall, subject to the approval of the Government signatory to the International Agreement signed at Rome, 9th December 1907, form part of the new International Health Organisation. The headquarters of the Office International d'Hygiène Publique shall remain in Paris.

Members of the General and Standing Committees and of the staff of the International Health Bureau shall have the right to use the Library of the Office International d'Hygiène Publique and its rooms in Paris shall be available for special meetings if required.

RESOLUTIONS.

No. Date.

19 10 Dec. 1920*
—contd.

The Office International d'Hygiène Publique shall undertake such duties of a technical character as may be assigned to it by the Standing Committee in accordance with the Resolution agreed to by the Committee of the Office International d'Hygiène Publique at the meeting held in Paris on 30th October 1919.

The Office International d'Hygiène Publique will, subject to the consent of the Government signatory to the International Agreement signed at Rome, 9th December 1907, agree to such alterations as may be found necessary in the "Statuts Organiques" of the Rome Convention of 1907 (especially Article 15) and in the Rules governing the internal administration of the Office, especially Article 8 of Part I of these Rules, but no alteration shall be made in Part II. with regard to the "Caisse des Retraites et de Secours," which is prejudicial to any person entitled to benefit therefrom.

The General Committee.

The General Committee shall consist of the delegates to the Office International d'Hygiène Publique now holding appointments in accordance with the International Agreement signed at Rome, 9th December 1907, or who may hereafter be so appointed by any country party to that Agreement, together with delegates appointed by countries not parties to the Agreement of 1907 but members of the League of Nations.

The General Committee shall meet at least once a year at the headquarters of the Office International d'Hygiène Publique in Paris. In cases of emergency the Council may convene the General Committee for an extraordinary session.

The General Committee shall appoint its own President, regulate its own procedure, and may at any time appoint sub-committees to consider any special question. Any delegate may at any time call in the assistance of technical advisers, but the advisers shall not vote.

A delegate, however, who during the progress of a session may for any reason be unable to attend any particular meeting, may, by notice in writing addressed to the President, appoint an adviser to act as his deputy, and this adviser while so acting shall be allowed to vote.

The Standing Committee.

The Standing Committee shall elect its own Chairman and regulate its own procedure, but shall meet not less than four times a year, and may in addition at any time be called to deal with questions requiring urgent consideration. It shall be empowered to form sub-committees and to call in technical advisers on special points, but these advisers shall have no voting power.

Full reports of the Proceedings of the Standing Committee and of all sub-committees shall be submitted to the General Committee and to the Secretary-General of the League of Nations through the Medical Secretary.

The Chairman and Members of the Standing Committee shall hold their appointments for three years only, but shall be eligible for reappointment or re-election.

The International Health Bureau or Personnel of the Standing Committee at the Seat of the League of Nations.

This shall consist of (a) a Medical Secretary; (b) personnel.

The Medical Secretary shall be appointed by the Standing Committee in consultation with the Secretary-General, and shall be responsible to this Committee for the efficient working of the International Health Bureau, and for any other duties that may be assigned to him by the Standing Committee. He shall have the right of direct access to the Secretary-General of the League of Nations, and shall be empowered to have direct communication with all Government Health Offices.

He shall be entitled to attend all meetings of both Standing and General Committees, and shall be a member *ex-officio* of all Committees and sub-committees.

Subject to the approval of the Council of the League, the personnel of the International Health Bureau at the seat of the League of Nations shall be appointed by the Standing Committee in consultation with the Medical Secretary, and, as far as possible with due regard to the efficiency of the work of the office, shall consist of persons of different nationalities.

The headquarters of the International Health Bureau shall be at the seat of the League of Nations.

RESOLUTIONS.

No. Date.

Conventions.

19 10 Dec. 1920 . . The Standing Committee shall be empowered to draw up any draft new
 --concl'd. Conventions or revise existing ones.

These Conventions must, however, be submitted to the General Committee for consideration and approval, and a majority of two-thirds of the votes of the General Committee will be required on the final vote for the adopting of the draft Convention.

In framing any Convention the Committee shall in all cases consult with the Economic and Transit Organisations of the League of Nations where the matter is in any way likely to affect International Commerce, Communications, or Transit. If it be decided that the draft Convention shall be adopted, it shall be signed by the President of the General Committee and the Medical Secretary of the International Health Bureau, and then be deposited with the Secretary-General. This Draft Convention will be submitted by the Council of the League of Nations to the Governments concerned with an invitation that if they approve the Convention, the Convention should, within as short a time as possible, and without further examination, be signed by plenipotentiaries.

Each country undertakes to ratify a draft Convention thus signed and deposited before one year has passed, or to signify to the Secretary-General, before the expiration of that period, its decision not to ratify and the reasons for that decision, and each member of the General Committee undertakes himself to keep the question of the draft Convention before the Authority within whose competence the matter lies, with the object of obtaining a decision as soon as possible from the country which he represents.

Any Convention so ratified shall be registered by the Secretary-General of the League of Nations, but shall only be binding upon the country which ratifies it.

Each member of the General Committee agrees to make special or annual reports on the measures the country he represents has taken to give effect to the promises of the Convention to which it is a party, and these reports shall be made when and in such form as the Standing Committee may prescribe. Similar reports shall be requested from countries not signatory to the Convention concerned on matters affecting the subject-matter of the Convention.

These reports shall be circulated to all members of the General Committee, and shall in addition be given publicity in the Press if necessary.

Expenses.

The expenses of the International Health Organisation, so far as they are not covered by the International Agreement signed at Rome, 9th December 1907, shall be paid from the funds of the League.

The Medical Secretary of the International Health Bureau shall prepare in advance an annual statement of all the ordinary expenditure for submission to the Standing Committee, whose duty it will be to recommend sanction for the proposed expenditure to the Council of the League of Nations through the medium of the Secretary-General. Extraordinary expenses shall be submitted by the Medical Secretary to the Standing Committee, which will present the same as a matter of urgency to the Council of the League of Nations through the medium of the Secretary-General.

The Medical Secretary shall be responsible to the Secretary-General of the League of Nations for the proper expenditure of all moneys paid to him, and shall submit to such audit as may be deemed desirable.

Until otherwise determined, the expenses of the Office International d'Hygiène Publique shall be paid as at present by contributions according to the apportionment of the International Agreement signed at Rome, 9th December 1907.

The Office International d'Hygiène Publique shall from time to time submit to such auditing of expenditure as may be deemed desirable by the Secretary-General of the League of Nations, in regard to any sums applied by the League to provide for the expenses noted above.

The Secretary-General of the League of Nations shall render all possible assistance to the Permanent International Health Organisation.

No. Date. RESOLUTIONS.

COMPOSITION OF HEALTH STANDING COMMITTEE.

- 20 • 10 Dec. 1920 . The Standing Committee shall consist of delegates of the States permanently represented on the Council of the League of Nations, of five members elected by the General Committee—having regard to their scientific attainments and to geographical representation—of the President of the General Committee, of a representative of the League of Red Cross Societies and of a representative chosen by the Governing Body of the Labour Conference.

ECONOMIC WEAPON.

- 21 13 Dec. 1920 . (See Appendix III. (Annex 13).

THE DESIGNATION OF NON-PERMANENT MEMBERS OF THE COUNCIL.

- 22 11 Dec. 1920 . (1) The Mandates of Belgium, Brazil, Spain and Greece as Members of the Council, as provisionally conferred by Article IV., para. 1, sentence 3, of the Covenant will expire on 31st December 1920.
- (2) In execution of Article IV., para. 1, sentence 2, of the Covenant, the non-permanent Members of the Council shall, at the present session of the Assembly, be selected one at a time and by secret ballot for a period of one year. If no Member obtains at the first ballot an absolute majority of votes, a new ballot shall be taken, but on this occasion the voting shall be confined to the two Members who obtained the largest number of votes at the first ballot. If at this ballot the two Members obtain an equal number of votes, the President shall decide by lot.
- (3) The various proposals considered by the first Committee of the Assembly on the subject shall be sent to the Committee to be constituted by the Council for studying amendments to the Covenant, which shall report on them to the next Assembly.

COURT OF INTERNATIONAL JUSTICE.

- 23 13 Dec. 1920 . (1) The Assembly unanimously declares its approval of the draft Statute* of the Permanent Court of International Justice—as amended by the Assembly—which was prepared by the Council under Article XIV. of the Covenant and submitted to the Assembly for its approval.
- (2) In view of the special wording of Article XIV. of the Covenant, the Statute of the Court shall be submitted within the shortest possible time to the Members of the League of Nations for adoption in the form of a protocol duly ratified and declaring their recognition of this Statute. It shall be the duty of the Council to submit the Statute to the Members.
- (3) As soon as this protocol has been ratified by the majority of the Members of the League, the Statute of the Court shall come into force and the Court shall be called upon to sit in conformity with the said Statute in all disputes between the Members or States which have been ratified, as well as between the other States, to which the Court is open under Article 35, para. 2, of the said Statute.
- (4) The said protocol shall likewise remain open for signature by the States mentioned in the Annex to the Covenant.

ARMAMENTS.†

- 24 14 Dec. 1920 . (1) The Committee having received a report of Sir Cecil Hurst on the Convention for the Control of the Trade in Arms and Ammunitions which was signed at Saint Germain on 10th September 1919 by the United States of America, Belgium, Bolivia, the British Empire, China, Cuba, Ecuador, France, Greece, Guatemala, Haiti, Fiji, Italy, Japan and other Powers, and being greatly impressed by the value of this Convention as an instrument of civilisation, and by the evils which would ensue from its non-observance, are anxious that the signatory Powers should proceed without delay to ratification and to the establishment of the International Office of Control contemplated by the Convention.
- (2) The Committee note that the signatory Governments declared in a Protocol that it was contrary to the intention of the high contracting parties and to the spirit of this Convention that, pending the coming into force of the Convention, a contracting party should adopt any measure which is contrary to its provisions.

* See Appendix VI., Annex 1.

† The terms of Resolutions Nos. 24, 25, and 26 are those in which they were presented by Committee No. VI to the Assembly. The Assembly adopted them *en bloc*.

RESOLUTIONS.

- | No. | Date. | |
|--------------------------------|-------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 24 | 14 Dec. 1920
—contd. | <p>(3) The Committee note, however, that it has not been possible for the Powers to give full effect to their Protocol, and that up to the present time the Convention of Saint Germain has had no effect save upon the traffic in arms to the certain special areas specified in the Convention.</p> <p>The Committee would therefore urge that the Assembly should declare its high sense of the gain to civilisation which would ensue from a strict control of this traffic, and should invite the Council to urge upon all Governments without delay speedy ratification of, or adhesion to, the Convention.</p> |
| 25 | 14 Dec. 1920 | <p>Whereas the Covenant formally denounces the evil effects of the private manufacture of munitions and of war material,</p> <p>The Committee suggest that the Assembly should request the Council to invite the Commissions referred to in the following resolution to investigate without delay this serious problem. They also suggest that attention be given to the question as to whether the International Office of Control for the Traffic in Arms when erected could not also be utilised so as to obviate the evils arising from the private manufacture of arms to which reference is made in the Covenant.</p> |
| 26 | 14 Dec. 1920 | <p>The Committee, being convinced that the maintenance of peace demands the reduction of armaments, in accordance with the principles set forth in Article VIII. of the Covenant and in the preamble of Part V. of the Treaties of Peace of Versailles, Saint Germain and Neuilly, which declare that the disarmament of certain Powers signatory to those Treaties be provided for "in order to render possible the initiation of a general limitation of the armaments of all nations" and associating itself with the pronouncement of the Supreme Council on 8th March last that "in order to diminish the economic difficulties of Europe, armies should everywhere be reduced to a peace footing, that armaments should be limited to the lowest possible figure compatible with national security, and that the League of Nations be invited to examine proposals to that end without delay," and with the Resolution of the International Financial Conference at Brussels "recommending most earnestly to the Council of the League of Nations the desirability of conferring at once and agreeing with the several Governments concerned with a view to securing a general reduction of the crushing burdens which, on their existing scale, armaments still impose on the impoverished peoples of the world, sapping their resources and imperilling their recovery from the ravages of war," realising on the other hand that a complete and comprehensive scheme of disarmament depends upon the following conditions: firstly, under the responsibility of the Powers signatory to the Treaties of Peace, upon the complete fulfilment of the reduction of armaments imposed by the abovementioned Treaties upon certain of these Powers; secondly, upon the exercise, as occasion may demand, of the right of investigation accorded by these Treaties to the Council of the League of Nations, in order to maintain this reduction; and lastly, on the collaboration of the other great military Powers which have hitherto remained outside the League, invite the Council:—</p> <p>(a) To request the Permanent Advisory Commission for Military, Naval, and Air Questions rapidly to complete its technical examination into the present condition of armaments;</p> <p>(b) To instruct a temporary Commission, composed of persons possessing the requisite competence in matters of a political, social, and economic nature, to prepare for submission to the Council in the near future reports and proposals for the reduction of armaments as provided for by Article VIII. of the Covenant;</p> <p>(c) To form within the Secretariat a section to serve as a centre of information for the Commission in question and also as a channel for the publication and exchange of the information referred to in the Covenant;</p> <p>(d) To consider the mechanism by means of which the military information to be exchanged under the provisions of Article VIII. of the Covenant can be verified in the event of the principle of mutual verification by Members of the League being confirmed by an amendment of the Covenant.</p> |
| TRAFFIC IN WOMEN AND CHILDREN. | | |
| 27 | 15 Dec. 1920 | <p>The Assembly resolves that—</p> <p>(1) The Secretariat of the League of Nations shall issue a <i>questionnaire</i> and the Assembly authorises the Secretariat to send this <i>questionnaire</i> to all Governments. The Governments shall be asked what legislative measures have been taken by them to combat the traffic, and especially what additional measures they are proposing to take in the future.</p> |

No. • Date.

RESOLUTIONS.

27 15 Dec. 1920—
contd.

Also that the Governments signatory to the 1904 and 1910 Conventions be immediately urged to put such conventions into operation.

The Assembly requests the Council to invite the countries signatory or adherent to the International Conventions of 1904 and 1910 to send representatives to an International Conference to be held before the next Assembly.

This Conference would co-ordinate the replies to the *questionnaire* received by the Secretariat and would endeavour to secure a common understanding between the various Governments with a view to future united action.

(2) The Council is invited to constitute a Commission of Enquiry with a view to informing the Council as to the present situation in Armenia, in Asia Minor, in Turkey and in the Territories adjoining these countries, regarding deported women and children.

This Commission should be composed of three members selected from among the persons best qualified residing in the districts in question. At least one member shall be a woman.

The expenses of this enquiry will be borne by the League of Nations.

The Secretariat shall receive, in addition to the information furnished by this Commission, all relative information from other countries.

The Council will report to the Assembly.

TRAFFIC IN OPIUM.

28 15 Dec. 1920 . That having regard to the duty placed on the League by Article XXIII. of the Covenant to supervise the execution of arrangements with regard to the traffic in opium and other dangerous drugs, the Assembly concurs with the Netherlands Government in its view that it will be preferable for the League to undertake the duties placed upon the Netherlands Government by the Opium Convention with regard to the collection of data and dealing with disputes.

That for this purpose and for the purpose of enabling the League to exercise its general supervision over the execution of arrangements with regard to this traffic, the Secretariat of the League is entrusted with the duty of collecting information as to the arrangements made in the various countries for carrying out the Opium Convention, the production, distribution and consumption of the drugs, and other necessary data.

That in order to secure the fullest possible co-operation between the various countries in regard to the matter, and to assist and advise the Council in dealing with any questions that may arise, an Advisory Committee be appointed by the Council which shall include representatives of the countries chiefly concerned, in particular, Holland, Great Britain, France, India, Japan, China, Siam, Portugal, and shall, subject to the general directions of the Council, meet at such times as may be found desirable.

That in view of the importance of the co-operation of States which have ratified or may hereafter ratify the Opium Convention, but which are not yet Members of the League, the Netherlands Government be requested to invite their concurrence and co-operation in the arrangements indicated above, and that in the event of such concurrence being given the Council be authorised to add to the Advisory Committee in the capacity of member or assessor, a representative of any such country which is specially concerned in the traffic, and that in any case a special invitation be addressed to the United States of America.

That the Council be authorised, if and when they think it necessary, to add as assessors to the Committee not more than three persons not representatives of Governments, having special knowledge of the question; and that the travelling expenses and allowances of such members shall be paid out of the funds of the League.

That the Advisory Committee shall, three months before the beginning of every session of the Assembly, present to the Council for submission to the Assembly, a report on all matters regarding the execution of agreements with regard to the traffic in opium and other dangerous drugs.

That the Assembly welcomes the action of the Netherlands Government in endeavouring to secure the signature and ratification of the Opium Convention by countries which have not yet done so, and invites it to inform the Secretariat of the League of the results of its action.

RESOLUTIONS.

No. Date.

PASSPORTS FOR MEMBERS OF THE SECRETARIAT OF THE LEAGUE OF NATIONS.

- 29 15 Dec. 1920 . The Secretary-General of the League of Nations shall deliver to members of the Secretariat and officials of the League an identity card certifying the identity of the holder and the nature of his official duties. On presentation of this card and at the request of the Secretary-General, the Government of which the holder is a national shall deliver or cause to be delivered by any of its diplomatic representatives or by its consular agent at Geneva, a diplomatic passport permitting the official to carry out the mission with which he is entrusted with the benefit of all privileges and immunities provided for in Article VII. of the Covenant, and valid for the duration of such mission in the limits indicated by the Secretary-General.
- Diplomatic visas will be given gratuitously, whenever necessary, on the request of the Secretary-General of the League of Nations by the diplomatic or consular agents of the Powers in whose territory the official will be travelling in accomplishment of his mission.

STAFF AND ORGANISATION OF THE SECRETARIAT.

- 30 17 Dec. 1920 . (1) That all members of the Secretariat and of the International Labour Office appointed for a period of five years or more by the Secretary-General or the Director of the International Labour Office shall, in the case of dismissal, have the right of appeal to the Council.
- (2) That a list of the staff of the Secretariat and of the International Labour Office, showing nationalities and salaries and allowances by classes, be published yearly, with the addition to the first and second issues of a list containing an account of the previous services of certain of the higher officials; and that a further list be prepared and attached to the annual Budget, showing the nationality, salary and allowances of each individual member of the staff, and containing a schedule showing the travelling allowances for each class with the amounts paid.
- (3) That information regarding vacancies on the staff of the Secretariat and of the International Labour Office be made as public as possible and that, in filling the various posts, whilst having special regard for efficiency, at the same time consideration be given to the international character of the League.

1ST AND 2ND BUDGETS.

- 31 17 Dec. 1920 . The Assembly of the League of Nations hereby adopts the General Budget of the League for the first financial period ending 30th June 1920, together with the Budget for the second financial period ending 31st December 1920.

3RD BUDGET.

- 32 17 Dec. 1920 . The Assembly of the League of Nations hereby adopts the annexed General Budget for the year 1921. (*See Appendix III., Annex. 12.**)

SITUATION IN ARMENIA.

- 33 18 Dec. 1920 . The Assembly reaffirms its resolution of 22nd November 1920. It will continue to co-operate with the Council, which it entrusts with the duty of watching over the fate of Armenia, and of referring any question it considers necessary to the Members of the League. On the invitation of the League the valuable intervention of President Wilson, of Spain and Brazil, has already been secured for Armenia in addition to marks of universal sympathy.

EMOLUMENTS OF MEMBERS OF INTERNATIONAL COURT OF JUSTICE.

- 34 18 Dec. 1920 . *See Appendix III. (Annex 10).*

CHILDREN IN COUNTRIES AFFECTED BY THE WAR.

- 35 18 Dec. 1920 . The Assembly, being desirous of giving its support to the urgent work of rescuing children in the countries affected by the war, invites the Council to consider as soon as possible the means by which the moral authority of the League of Nations might best assist this work which is being done in the cause of humanity.

* The budget there annexed is that originally presented by Committee No. IV, and is exclusive of 250,000 gold francs added after presentation to the Assembly; see para. 113 of our Report.

No. Date.

RESOLUTIONS.

ORGANISATION OF INTELLECTUAL WORK.

- 36 18 Dec. 1920 . The Assembly of the League of Nations, approving the assistance which the Council has given to works, having for their object the development of international co-operation in the domain of intellectual activity, and especially the moral and material support given to the Union of International Associations on the occasion of the Inaugural Session of the International University and of the publication of the List of Recommendations and Resolutions of the International Congresses, recommends that the Council should continue its efforts in this direction, and should associate itself as closely as possible with all methods tending to bring about the international organisation of intellectual work.

The Assembly further invites the Council to regard favourably the efforts which are already in progress to this end, to place them under its august protection, if it be possible, and to present to the Assembly during its next session a detailed Report on the educational influence which it is their duty to exert with a view to developing a liberal spirit of goodwill and world-wide co-operation, and to report on the advisability of giving them shape in a technical organism attached to the League of Nations.

RECOMMENDATIONS.

THE DESIGNATION OF NON-PERMANENT MEMBERS OF THE COUNCIL.

- 1 11 Dec. 1920 . The Assembly is recommended to vote for the four non-permanent Members in such manner that three Members be selected from among the Members of the League in Europe and the two American continents, and one selected from among those in Asia and the remaining parts of the world.

ARMAMENTS.

- 2 14 Dec. 1920 . Pending the full execution of the measures for the reduction of armaments recommended by Article VIII. of the Covenant, the Assembly recommends to the Council to submit for the consideration of the Governments the acceptance of an undertaking not to exceed for the first two financial years following the next financial year, the sum total of expenditure on the military, naval, and air services provided for in the latter budget, subject however to account being taken of the following reservations :—

(1) any contributions of troops, war material, and money recommended by the League of Nations, with a view to the fulfilment of obligations imposed by Article XVI. of the Covenant or by Treaties registered by the League.

(2) Exceptional conditions notified as such to the Council of the League of Nations in accordance with the spirit of paragraphs 2 and 6 of Article VIII. of the Covenant.

PROTECTION OF MINORITIES IN CERTAIN STATES SEEKING ADMISSION TO THE LEAGUE OF NATIONS.

- 3 15 Dec. 1920 . In the event of the Baltic and Caucasian States and Albania being admitted to the League the Assembly requests that they should take the necessary measures to enforce the principles of the Minorities Treaties and that they should arrange with the Council the details required to carry this object into effect.

PROTECTION OF ARMENIA.

- 4 16 Dec. 1920 . The Assembly earnestly hopes that the efforts of the President of the United States, energetically supported by the Governments of Spain and Brazil and by the Council of the League, will result in the preservation of the Armenian race, and in securing for Armenia a stable government, exercising authority throughout the whole of the Armenian State as the boundaries thereof may be finally settled under the Treaty of Sèvres, so that the Assembly may be able to admit Armenia into full membership in the League at its next meeting.

RECOMMENDATIONS IN REGARD TO STATES NOT ADMITTED TO THE LEAGUE.

- 5 16 Dec. 1920 . Pending a further decision of the Assembly, it is desirable that Estonia, Latvia, Lithuania, and Georgia should, on presenting a request to that effect, be treated on the same footing as States Members of the League of Nations, as regards their participation in the work of the technical organisations of the League.
- 6 17 Dec. 1920 . The Assembly expresses the wish that the Special Committee appointed by the Council of the League of Nations to consider proposals with reference to amendments to the Covenant, should also consider whether, and in what manner, it would be possible to attach to the League of Nations Sovereign States, which by reason of their small size could not be admitted as ordinary Members.

RECOMMENDATIONS.

No. Date.

EARLY PAYMENT OF CONTRIBUTIONS.

- 7 17 Dec. 1920 . The Assembly of the League of Nations requests the Members of the League to take the necessary measures to ensure their contribution being paid at the earliest possible date. Each Member should in any case inform the Secretariat on 1st January 1921 on what date it may expect payment to be made. The Special Committee to be appointed to consider modifications in the Covenant should also consider what steps should be taken with reference to States which have not paid their quotas within a specified period.

PRINCIPLES OF FINANCIAL ADMINISTRATION.

- 8 17 Dec. 1920 . The Assembly of the League of Nations requests the Council to be guided by the principles embodied in the following Articles in regard to the financial administration of the League, and if experience proves that it can be strengthened and improved, to prepare for the annual session of the Assembly of 1921 a draft resolution upon this subject. [For the Articles in question, *see* Appendix III. (Annex 12*.)]

COMMITTEE TO CONSIDER ALL FACTORS CONNECTED WITH INTERNAL ORGANISATION.

- 9 17 Dec. 1920 . The Assembly of the League of Nations requests the Council to take the necessary steps to appoint as soon as possible a small Committee of experts to consider all factors connected with the organisation, methods of work, efficiency, number, salaries and allowances of the staff and with the general expenditure of the organisation as well as with all other points necessary to enable the Assembly to form a fair judgment in respect thereto, both as regards the Secretariat and the International Labour Office. The report of this Committee should be in possession of the Members of the League by 1st June 1921.

MANDATES.

- 10 18 Dec. 1920 . (a) *Recommendations regarding the Mandates Commission.*
- (1) The members of the Commission should not be dismissed without the assent of the majority of the Assembly.
 - (2) The Commission should contain at least one woman.
 - (3) The mandatories should be asked to present to the Commission a report on the recent administration of the territories now confided to their care.
- (b) *Recommendations as to Mandates "A."*
- (4) The Mandatory should not be allowed to make use of its position to increase its military strength.
 - (5) The Mandatory should not be allowed to use its power under the mandate to exploit for itself or its friends the natural resources of the mandated territory.
 - (6) An organic law should be passed in the mandated territories as soon as possible, and before coming into force should be submitted to the League for consideration.
- (c) *General Recommendation.*
- (7) Future draft mandates should be published before they are decided on by the Council.

* Articles 13 (a) to 13 (e) were renumbered 13 to 17 by the Assembly.

APPENDIX III.

Reports of Committees of the Assembly on various Subjects.

ANNEX 1.—*Summary of Report of Committee No. I. on the Rules of Procedure of the Assembly (taken from the Official Journal of the Assembly).*

The Rules of Procedure of the Assembly are based on :—

1. The Covenant.
2. The Rules of Procedure of the Council adopted during its Session at Rome on the 17th May 1920.
3. The Provisional Rules of Procedure distributed to the delegates of the Assembly at the beginning of the Session.
4. The Rules of Procedure in force in various Parliaments of the world.
5. The draft amendments submitted to the Committee by the delegates of Sweden, Switzerland, Australia, Portugal, China, and by the Hon. N. Rowell, delegate of Canada.

The Rules of Procedure define the respective positions and powers of the Members of the League, of the delegates who represent them, of the Council of the League, and of the Secretariat-General. The Committee have regarded the Members of the League as the origin and source of the whole organisation ; the Assembly as its sovereign but intermittent power ; the Council as its permanent parliament ; and the Secretariat-General as its permanent executive organ.

Members of the League.—The Rules provide that a majority of the Members of the League can at any time summon a Session of the Assembly, settle the place of its meeting, propose the questions to be placed on the agenda, and name their representatives and substitutes.

The Assembly.—The Assembly will meet once a year, on the first Monday in September. It has the power to designate its place of meeting, to choose its President and Vice-Presidents, to verify the credentials of its representatives, to draw up its agenda, and to determine the composition and work of its Committees.

The Council.—Upon the Council falls the task of carrying out the results of discussions held during the session of the Assembly. The Council or its President has the power to convene the Assembly, to approve the agenda prepared by the Secretary-General, to present reports to the Assembly, and to intervene in the debates of the Assembly through one of its Members in order to make an explanatory statement.

The Secretary-General.—The Secretary-General, as an executive officer, has to collect the opinion of the Members of the League with regard to the summoning of an extraordinary Session of the Assembly. He has to communicate the order convening the Session to the different Members, to prepare the agenda, to register the names of the representatives with their substitutes, to present his report to the Assembly, and to execute decisions taken either by the Assembly or the Council.

The Budget.—The Budget proposed for the ensuing fiscal year, and the report and the accounts for the past fiscal year, will be submitted annually for the approval of the Assembly in September. The Assembly will consider them after they have been examined by a special Committee which will carry out all the duties of financial supervision which normally belong to a parliamentary body.

The Use of Spanish as an Official Language.—The Committee recognises that the League of Nations represents the principle of equality amongst States, but points out that the adoption on equal terms of some 20 languages spoken by the various nations of the world would cause general confusion and render discussion impossible. The Committee has examined the question from the point of view of the practical working of the League, and from the point of view of keeping expenditure within reasonable limits. It expresses its gratitude to the representatives of the Spanish-speaking countries who, in a spirit of devotion to the common welfare, have agreed not to insist during this Session on the use of Spanish as an official language, although making a reservation with respect to the future.

The Committee has decided in this connection that every representative should, under the Rules of Procedure, be allowed to speak in whatever language he may prefer, and to publish documents published by the League in his native language. It is understood that each representative or Member of the League will provide for the necessary translation and publication.

Subjects Reserved.—The Committee has reserved for further examination the proposals concerning the institution by the Assembly of permanent Committees and the election of the non-permanent Members of the Council. Separate reports will be presented to the Assembly on these questions.

ANNEX 2.—*Report on the Relations between and respective Competence of the Council and the Assembly. Presented by Committee No. I. to the Assembly.*

I. We must seek in the Covenant the rights and duties attributed to the Council and the Assembly respectively. Before proceeding to this analysis, and in order to throw light upon it, we will attempt to take account, from the constitutional point of view, of the legal position of the League of Nations. We cannot attain a definite opinion until we have eliminated from the discussion certain hypotheses on which we must dwell for a moment.

- (a) It is impossible to consider the Assembly as a Chamber of Deputies and the Council as an Upper Chamber. The objections to this view are that, while in certain matters the Council and the Assembly have identical rights, in others they have each their special rights ; and that the two bodies are not called upon to discuss and decide exactly the same points. If the Assembly was the Chamber of Deputies and the Council a sort of Upper Chamber, the same subjects would come first before the one and then before the other body.

- (b) It is equally impossible to consider the Council as invested with the executive and the Assembly with the legislative power. The conclusive objection to this view is that the Assembly possesses executive prerogatives.

The truth is that the League of Nations has no analogy in ordinary constitutional law. Article 2 of the Covenant provides that the action of the League shall be effected through the instrumentality of an Assembly and a Council. It follows that the League is a single organism which has at its disposal two organs whose distinct or similar attributes must now be considered.

II. *Competence of the Council.*—The Council has the approval of the appointments made by the Secretary-General (Article 6), and may decide that the seat of the League shall be elsewhere than at Geneva (Article 7); The Council shall formulate plans for the reduction of armaments, and must give its consent to armaments exceeding those limitations (Article 8). It shall advise as to the evil effects attendant upon manufacture of arms by private enterprise (Article 8). The Council shall advise in case of aggression (Article 10). It must formulate and submit proposals for the establishment of a Permanent Court of Justice (Article 14), and it may act as a Council of Mediation (Article 15). It must make recommendations to the Governments as to military contribution to the armed forces to be used to protect the covenants of the League (Article 16). It will define the conditions of the Mandates if they have not been previously agreed upon by the Members of the League (Article 22, para. 8). Its consent is required for the co-operation of the Secretariat with International Bureaux and Commissions (Article 24, para. 2).

The Council furthermore derives clearly defined functions from the Peace Treaties (see Article 48, Article 50, Annex 17, Article 213 of the Treaty of Versailles; Article 159 of the Treaty with Austria, Article 104 of the Treaty with Bulgaria, &c.).

III. *Competence of Assembly.*—The Assembly also has duties and rights which are peculiar to it; for example, admission of new Members (Article 1); election of representatives on the Council (Article 4); approval of additional Members on the Council (Article 4); approval of the Council's nomination for the office of Secretary-General (Article 6); hearing of disputes referred from the Council to the Assembly, &c., &c. We find that on these very important matters the final decision rests with the Assembly and not with the Council.

IV. While, as we have seen, the Council and the Assembly have each their distinctive rights and duties, there are matters the decision of which is left to the League of Nations without its being specified to which organ of the League the right of decision belongs. (Articles 23 and 24 of the Covenant; Article 103, Article 338, Article 376 of the Treaty of Versailles).

V. Finally the account of the provisions of the Covenant in regard to the powers of the Council and the Assembly should be completed by setting out the relevant provisions of Articles 3 and 4. The former provides:—

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

The latter Article provides:—

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

VI. In the opinion of the Committee it would not seem to be desirable or necessary to formulate in explicit language at the present time what are the precise functions which the Council and the Assembly are respectively expected to perform. In the Report presented by Mr. Balfour and approved by the Council the following conclusion is reached:—

“The moral I would draw from these broad considerations is that the less we attempt to formulate in explicit language the precise functions which the Council and the Assembly are respectively expected to perform, the better for the future of the League.

“Let us substitute for any such formulating of our respective duties a resolve to deal with any difficulties between the Assembly and the Council not according to pre-arranged rules, but according to the dictates of tact and common sense, treating each case as it arises on its merits.”

The Committee recommends the Assembly to accept and act upon this conclusion.

VII. In the Report by Mr. Balfour already referred to, a proposal is made for the appointment of mixed committees to determine questions of doubtful competence between the Council and Assembly. While appreciating the purpose of this proposal, we think it is not necessary at the present time to decide this question.

VIII. It remains to solve a very important question: What is the nature of the executive effect of decisions of the Council and the Assembly? In our opinion the Assembly and the Council should be considered to have complete authority in all matters which the Covenant or the Treaties have committed to them for decision. There are, however, matters referred to in the Covenant which are not within the competence of these organs, but require the concurrence and action of the Governments concerned in the form of international conventions, such as the serious questions contemplated by Article 23, paras. a, b, e, f. In these matters one must not forget that the responsibility of the Governments represented at the Assembly, which is external to the Assembly, cannot be engaged. The action of the Assembly should accordingly take the form of a recommendation or invitation leading up to agreement between the Governments.

IX. Two further questions were discussed in the Committee.

(a) The first question was whether a member of the Council, in rendering his decisions on the Council, represented the Member of the League which appointed him, or acted in an independent capacity. Representatives on the Council and the Assembly are responsible to their own Governments and to those Governments alone. The Assembly has no right to interfere with the choice which a

Member of the League may make of persons to represent it, nor prevent a representative from saying what he pleases ; but it is essential that it should be thoroughly understood that, when a representative votes, the vote is that of the Member which he represents, whether the vote be cast in the Council or the Assembly. (See Article V.)

(b) The idea was suggested not of permanent Committees continuing to function after the Assembly had risen, but of allowing Committees which have failed to complete their labours in the course of a session of the Assembly to retain their mandates until their discussions are completed. The Committee is unable to accept this proposal. Practical reasons render it unrealisable. As each Committee consists of one representative from each State, it would be impossible to keep the members of a Committee in Geneva after the Assembly Session was over.

X. At the close of this purely juridical discussion, and as an assistance towards reaching a working basis for the time being, the Committee suggests the adoption of the following principles, which they have framed after close examination of the investigations upon the subject in question already made by the Secretary-General and Mr. Balfour :—

(a) The Council and the Assembly are each invested with particular powers and duties. Neither body has jurisdiction to render a decision in a matter which has been expressly committed to the other organ of the League.

(b) The Assembly has no power to reverse or modify a decision which falls within the exclusive competence of the Council. The same respect must be shown by the Council for decisions of the Assembly.

(c) Under the Covenant representatives sitting on the Council and the Assembly render their decisions as the representatives of their respective States, and in rendering such decisions they have no standing except as such representatives.

(d) The Council will present each year to the Assembly a report on the work performed by it.

ANNEX 3.—*Report presented to the Assembly by Committee No. I. on the Question of the Designation of the Non-permanent Members of the Council.*

Gentlemen, .

I. The question dealt with in the present Report is that of the selection of the four non-permanent Members of the Council. The provisions of the Covenant relative to this question read as follows :—

Article 4, para. 1.—The Council shall consist of Representatives of the Principal Allied and Associated Powers, together with Representatives of four other Members of the League. These four Members of the League shall be selected by the Assembly from time to time in its discretion. Until the appointment of the Representatives of the four Members of the League first selected by the Assembly, Representatives of Belgium, Brazil, Spain and Greece shall be members of the Council.

• There are thus two categories of Members on the Council ; permanent Members described in the foregoing Article as the Principal Allied and Associated Powers and the four non-permanent Members who are to be selected by the Assembly.

The discussions of the Committee with a view to fixing upon a general method of selection, principally dealt with the following points :—

- | | |
|------------------------------------|-------------------------------------------------------------------------|
| (a) System of rotation. | (f) Temporary arrangements and method of distribution of seats in 1920. |
| (b) Method of selection. | (g) Form to be given to the decisions of the Committee. |
| (c) Duration of the mandates. | |
| (d) Dates of the partial renewals. | |
| (e) Re-eligibility. | |

II. In the course of the discussion a difference of opinion appeared as to the interpretation of the first paragraph of Article 4 of the Covenant.

The French text of Article 4, para. 1, lays down that the four non-permanent Members of the Council *sont designes librement par l'Assemblée et aux époques qu'il lui plaît de choisir*, while the English text reads "shall be selected by the Assembly from time to time *in its discretion*."

Part of the Committee was of opinion that this provision should be understood as follows :—The plenary Assembly should remain free to chose as Members of the Council those of the Members of the League of Nations whom, at the time the selection is made, it considers best fitted to carry out their duties as such, that is to say, to watch over the interests entrusted to the Council. The selection of the four Members is, therefore, to be free and not subject to any regulations on the part of the Assembly, either in respect of apportionment of seats or of the progressive limitation of choice. Such regulations are alone admissible as are confined to the method of selection and the duration of the mandates, or are intended to guarantee freedom of choice. In other words, only regulations exclusively affecting the actual procedure of selection can be considered as compatible with the Covenant.

On the other hand, however, other members of the Committee are of opinion that Article 4 gives the Assembly of the League absolute liberty not only to regulate at will the method of election and the duration of mandates, but also to introduce any system of apportionment of seats or of rotation calculated to increase the prestige of the Council and to enable it to watch over the common interests of the whole world in the best possible manner.

III. Part of the Committee was of opinion that the fundamental principle to which the Assembly should always adhere in selecting the non-permanent Members of the Council, is that those Members should be chosen who are best fitted to carry out, in conjunction with the Permanent Members, the duties entrusted to the Council ; the election must always be a selection. With this object in view, especial consideration should amongst other things be given to international, political, economic, social and financial relations of every sort, as well as to the respective situations of the various States at the time of the election.

Other members consider that, in order to ensure that the composition of the Council is satisfactory, it is essential to guarantee to Members of the League the certainty of obtaining a seat in turn, since without this certainty there would be a risk that they would gradually cease to take an interest in the work of the Council, and that the spirit of co-operation would be weakened. For these reasons, they proposed that the duration of the mandate of non-permanent Members of the Council should be reduced to a short period—for example, two years—in order to accelerate the rotation as much as possible, and to require that a Member who had sat on the Council should not be re-elected until all the other Members had also sat on the Council. This system has been called the system of obligatory rotation.

Part of the Committee believes that this is incompatible with Article 4 of the Covenant. The system of free selection provided for in this Article would thus be replaced by the system of obligatory rotation. The latitude of choice would be restricted from year to year, and would indeed finish by disappearing altogether, because the Assembly would ultimately only be able to appoint to the Council those Members who had not yet been elected.

It was urged that justice, as well as expediency, requires that all the Members of the League of Nations should in turn obtain a seat on the Council, in order to be able to represent their views on matters of international policy, and to utilise their special knowledge concerning the actual situation in different parts of the world. The majority, however, considers that the appreciation of these elements should always be left to the Assembly. The latter cannot therefore adopt a rigid system, which is foreign to the Covenant, nor can it be bound by any such principle as that of obligatory rotation. The Committee has accordingly not adopted this system.

IV. In order to ensure a wiser apportionment and a more enlightened choice at the election, the Committee preferred the system of voting for one name at a time to the "Scrutin de liste" and, although the election is one of States and not of persons, the Committee unanimously declared itself in favour of a secret ballot. It further decided to apply in a modified form Rule 21, para. 2, of the Rules of Procedure adopted by the present Assembly.

V. As regards the duration of the mandates, part of the Committee is in favour of as short a period as possible, in order to give the Members of the League the greatest possible chance of being represented on the Council within a reasonable time. Another part of the Committee, however, considers that the four non-permanent Members of the Council will not be able to exercise an appreciable influence by the side of the permanent Members, unless they sit for a sufficiently long period to enable them to become familiar with the course of business. They, therefore, proposed four years as the period of the mandates. The Committee decided by 14 votes to 13 in favour of the period of two years, 15 members being absent or abstaining from voting.

VI. The Committee further declared itself in favour of partial renewals of the non-permanent Members and fixed upon two as the number of Members to be selected each year. Any system involving the simultaneous renewal of the four seats was rejected.

VII. The Committee was further of the opinion that a system of qualified non-re-eligibility should be adopted with a view to preventing the growth of a species of customary right to re-election. The majority thought that it would be possible to allow a Member, who had held his seat upon the Council for two years, to be selected for a further two years, but felt the necessity of stipulating that, subsequently, retiring Members should be ineligible for a period of four years. Even when a Member was not re-elected after sitting for two years, he should not be able to sit again on the Council until a period of four years had expired.

VIII. The Committee proposes, firstly, that two of the four Members should be selected at each annual meeting of the Assembly, and, secondly, that all four Members should be selected during the present session. As a temporary measure, therefore, the Committee suggests that two of the mandates should be for one year and two for two years. The respective length of the mandates could be decided at the election, but the Committee prefers that this question should be decided by drawing lots, after the selection of the Members. A proposal to distribute the four non-permanent seats upon the following geographical basis:—Three seats to the European and American Members of the League, and one seat to the Members from Asia and the other parts of the world, was thoroughly discussed by the Committee.

On the one hand, it was urged in support of this idea that, due regard being given to the main branches of humanity, the great currents of civilisation, the principal sources of wealth, and the commercial arteries of the world:—

- (1) The Members of the League of Nations who are not permanently represented on the Council naturally fall into three groups: the European group, the American group, and a third group including Asia and the other parts of the world.
- (2) These three groups of Members of the League, with their respective problems, conditions and capabilities, should all be represented on the Council, the permanent embodiment of the spirit of the League, inasmuch as universal co-operation is essential for the effective maintenance of world peace and the advancement of the common interests of humanity.
- (3) The proposed system of apportionment is equitable and is designed to obviate the preponderance of any one part of the world, to the exclusion of other parts, with regard to non-permanent representation, a preponderance which would be possible in the absence of any system of apportionment.
- (4) The non-representation of any one of these three groups of Members might jeopardise friendly relations between them, and even weaken the League itself, since the non-represented group would gradually lose interest in the League.
- (5) Such a system of apportionment is desirable since it would tend to enhance the prestige of the Council and to inspire confidence in its deliberations and decisions among all the Members of the League.

- (6) An equitable system of this kind is entirely in harmony with the spirit of the Covenant and does not constitute a restriction on the discretionary power conferred upon the Assembly by the Covenant, but is rather an enlightened use of that power.

On the other hand, it was urged that any hard and fast system of apportionment would be contrary to the Covenant, since it would involve restriction of the freedom of the Assembly, by introducing a system of representation foreign to the Covenant, as has been already explained; that neither the Asia-Africa-Oceania group, nor even Asia or Africa separately, can be considered from any point of view entities sufficiently homogeneous to supply a legal basis for representation on the Council; that the universal co-operation necessary for the effective maintenance of world peace and for the advancement of the common interests of humanity must be achieved by the Assembly of the League rather than by the Council; that in order to obtain equitable representation, and to avoid the undue preponderance of any part of the world, among the non-permanent representatives of the Council, we must rely rather on the spirit that animates the League than on any predetermined regulations; that Europe is at present in the throes of a crisis, and that in consequence the composition of the Council must offer guarantees which will meet the requirements of this situation; that later on a crisis may develop in some other part of the world, creating new requirements; and that, at any rate until peace has been finally re-established, there can be no restriction of the freedom of choice of the Assembly as regards the selection of the four non-permanent Members of the Council.

A motion proposing to adopt experimentally at the elections in the present Session of 1920 the system of distribution of seats mentioned above was accepted by 13 votes to 12, two members abstaining from voting, and 15 being absent.

IX. The Committee finally considered whether the regulations which it recommends are or are not matters of procedure within the meaning of Article 5, para. 2 of the Covenant. Certain members of the Committee urged that at least Resolution IV. could not be regarded as a question of procedure, but was a question of substance. The Committee, however, adopted by a majority the view that all the Resolutions proposed deal with matters of procedure.

X. In conclusion, the Committee submits the following draft Resolutions for consideration by the Assembly:—

(I) The mandates of Belgium, Brazil, Spain, and Greece as Members of the Council, as provisionally conferred by Article 4, para. 1, sentence 3, of the Covenant, will expire on 31st December 1920.

(II) In execution of Article 4, para. 1, sentence 2, of the Covenant, the non-permanent Members of the Council shall be selected one at a time and by secret ballot for a period of two years. If no Member obtains at the first ballot an absolute majority of votes, a new ballot shall be taken, but on this occasion the voting shall be confined to the two Members who obtained the largest number of votes at the first ballot. If at this ballot the two Members obtain an equal number of votes, the President shall decide by lot.

At each Annual Meeting, the Assembly will select two of these four Members. The mandate conferred upon these Members will date as from 1st January of the following year.

No Member shall serve for more than two consecutive periods of two years. Members ceasing to hold office after one or two periods of two years, as the case may be, shall not be re-eligible until after the lapse of a period of four years.

(III) At its Session in 1920 the Assembly shall, as an exception to the rule laid down above, proceed to select all four non-permanent Members of the Council. The mandates shall be two for one year and two for two years. After the election the President shall determine by lot which Members shall hold office for one and which for two years.

The principle of non-re-eligibility shall not apply to the elections at the present Session.

(IV) Of the four non-permanent Members to be selected by the Assembly in 1920, three shall be selected from among the Members of the League from Europe and the two American Continents, and one selected from among those from Asia and the remaining parts of the world.

(V) The present provisions shall be deemed matters of procedure within the meaning of Article 5, para. 2, of the Covenant.

ANNEX 4.—Report submitted to Committee No. II. by the Delegate for Canada (on behalf of the Typhus Sub-Committee) and approved by the Committee.*

At a meeting of Committee No. II., held on 22nd November, the following Resolution was adopted:—

“The Committee decides that the report of the Medical Mission on Typhus, now returned from Poland, shall be heard by a sub-committee under the presidency of the delegate of the Argentine, and composed of all members of the Committee who wish to attend. The meeting of this sub-committee will be public.”

The sub-committee thereby constituted held meetings on 24th and 26th November, at which Drs. Madsen, Pottevin and Norman White submitted their report and gave such additional information as was asked for by the members of the sub-committee. I beg leave to submit this report, together with the Procès-Verbaux of the sub-committee, for the consideration of the full Committee.

It would appear from the reports and statements of the above-named experts:—

- (1) That the epidemic condition of typhus in Poland and Galicia is very grave and constitutes a distinct menace especially to Eastern Europe and in general to the world at large.

* For the Resolution passed by the Assembly, see Appendix II., Resolution No. 12.

- (2) That the resources of mechanical and medical equipment of Poland, though hitherto employed in an excellent manner, are altogether insufficient to successfully cope with the conditions in Poland itself.
- (3) That the infection of typhus is widely distributed in Russia and other countries adjoining Poland and opportunities for its distribution are constant and continually increasing.
- (4) That urgent necessity exists for an immediate and adequate effort, participated in by the nations of the world, to successfully combat a menace which is international and world-wide.

Already two appeals have been issued by the Council of the League and 42 States have been communicated within an urgent request for a fund to a minimum of 2,000,000*l.*, with which to undertake the limitation and possible extermination of the epidemic. In answer to this appeal, the following nations have promised to contribute, as shown hereunder; but up to date nothing has been actually paid in owing to the conditional nature of the contributions offered. As a consequence, no funds from this source have been available for use:—

France	£50,000	Persia	£ 2,000
(on condition that three other countries subscribe a like amount).		Bulgaria	£ 27
England	£50,000	Siam	£ 1,000
(on condition that three other countries subscribe a like amount).		Germany	1,000,000 paper marks
Canada	200,000 dollars (an initial payment when Great Britain has also contributed her initial payment).	Austria	100,000 kronen
Spain (conditional)	£40,000	Holland	100,000 florins
Belgium	£1,000	Japan	100,000 francs.
Greece	£10,000	Switzerland	50,000 francs.

The sub-committee is of the opinion that an urgent and immediate appeal should be made by the Assembly to all the countries of the world for an adequate fund for prosecuting an effective campaign against epidemic disease, especially typhus and cholera, in Eastern Europe, beginning with Poland as a centre, and that the Office International d'Hygiène Publique, the Comité International de la Croix-Rouge and the League of the Red Cross Societies, should be earnestly sought to co-operate with the League of Nations in this matter.

ANNEX 5 :—General Report of Committee No. II., by M. Hanotaux, French Delegate, on Technical Organisations.

Mr. President, Gentlemen,

In distributing the work allotted to the different Committees, the Assembly had entrusted Committee No. 2 with the task of examining certain economic and financial questions.

This Committee was formed under the Chairmanship of M. Tittoni, the first Italian delegate, appointed by the Assembly as one of its Presidents, with M. Toma Jonescu, the first Roumanian delegate, as Deputy Chairman.

The subjects which had been referred to this Committee appeared in your provisional agenda under the following headings :—

11. The relations between Technical Organisations and the Council and the Assembly of the League.
12. The establishment of a Permanent Health Organisation.
13. Typhus.
14. Supervision over the execution of Agreements with regard to the Traffic in Women and Children.
15. General supervision over the execution of Agreements with regard to the Traffic in Opium in accordance with Article 23 of the Covenant (at the request of the Government of the Netherlands).
16. The establishment of a Permanent Organisation to deal with Communications and Transit questions falling within the sphere of the League of Nations under the Treaty of Versailles.
17. Tribunal for the settlement of differences referred to in Articles 336, 337, 376 and 386 of the Treaty of Versailles, and in corresponding Articles of other Treaties.
18. Passports for Members of the Secretariat.
19. Economic and Financial Organisation.
20. The claim of India to be represented on the Governing Body of the International Labour Office.

The questions covered by these headings correspond to the Article of the Covenant, that have entrusted the League with a guardianship over the various matters which make up the world's life from the point of view of economics, finance and health, and which are still affected by the crisis which has shaken the social structure to its very foundations.

Of these Articles the chief is Article 23, from which I have selected for quotation the paragraphs which deal with the work of the Committee.

Article 23.—“ Subject to and in accordance with the provisions of international Conventions at present existing or hereafter to be agreed upon, the Members of the League—

“(c) Will entrust the League with the general supervision over the execution of agreements with regard to the traffic in women and children, and the traffic in opium and other dangerous drugs.

"(e) Will make provision to secure and maintain freedom of communications and of transit and equitable treatment for the commerce of all Members of the League. In this connection the special necessities of the regions devastated by the war shall be borne in mind.

"(f) Will endeavour to take steps in matters of international concern for the prevention and control of disease."

It should be added that Articles 24 assure the permanence of the International Bureaux which were previously in existence, by placing them, subject to the consent of the parties concerned, under the authority of the League, and that they institute a strong moral connection between the League of Nations and the voluntary international Red Cross Societies.

The foundations having been thus established, the next point was to commence a study of the permanent procedure to be adopted for obtaining effective results in regard to the variety of questions covered by these Articles.

First of all, the Council of the League discussed the question and took the requisite steps to ensure that the preparatory work should be ready for submission to the Assembly at its first meeting.

At this point, Gentlemen, the connection of the labours of the Second Committee and the lofty sentiments expressed by M. Léon Bourgeois, President of the Council of the League of Nations, at the meeting of Saturday, 4th December, becomes evident.

M. Léon Bourgeois pointed out the difficulties which beset the launching of so vast an undertaking, and he told us that we must dig the ground, that we must lay the foundations, organise and weigh our resources and create the machinery; he described that obscure and thankless period during which the materials are scattered over ground and the architect alone can in his mind's eye visualise the majestic lines of the future edifice.

We are exactly at this stage, and public opinion, which is waiting on our first achievements and is urging us to act, will doubtless grant us the necessary time to enable us to lay solid foundations for this structure, which has no equivalent in history.

Scarcely had the Council of the League of Nations assembled, when the economic and financial questions were placed on its agenda. Obviously neither the Council nor the Assembly could possibly enter upon the consideration of these difficult subjects without the intention of establishing first of all, in accordance with the Covenant, special organisations entrusted to prepare their work and carry out their decisions. Whether the question be one of political economy, finance, transport or hygiene, quite apart from other matters which will at one time or another be submitted to the supreme authority, the League of Nations, the immediate establishment of special organisation is imperative; it is on these lines that a start must be made.

For the purpose of preparing these indispensable organisations, the Council had entrusted the preliminary study of the question to the Provisional Economic and Financial Committee, the Provisional Committee on Communications and the Health Conference. I cannot doubt that the Assembly desires to tender its most sincere thanks to these Committees.

The Committees have worked hard, have evolved principles, collected data and arrived at conclusions worthy of our closest consideration. And we must add that if this excellent preliminary work had not been accomplished, our own labours could hardly have been finished in one short but arduous session. From the general tenour of this report it will be seen that the Second Committee, whose task was to deal with all these questions, had to consider two classes of subjects:—

- (1) Those relating to the establishment of special organisations which are in some sort constructive;
- (2) Those which bear on certain fundamental questions which demand immediate consideration in view of their urgency or of their state of preparation for consideration by the Assembly.

Taking into consideration this division of the work, the Second Committee decided that the Reports to be submitted to the Assembly should deal with each of these two groups of subjects. It also decided that one of the two Rapporteurs which it has appointed (the present reader of this Report) should be instructed to deal with all questions relating to the creation of technical organisations, and that another Rapporteur, the Hon. M. T. Jonnesco, should deal with questions of principle which have already been discussed; the Committee, moreover, decided that, in view of the complexity of the problems, the two general Rapporteurs should be assisted by certain special Rapporteurs, *viz.*, M. Ador for the economic and financial questions, M. Loudon for Communications and Transit, Mr. Barnes for Health, Sir W. Meyer for Opium, M. Politch for Passports.

II.—RELATIONS BETWEEN TECHNICAL ORGANISATIONS, THE COUNCIL AND THE ASSEMBLY OF THE LEAGUE OF NATIONS.

Before taking up the study of the three technical organisations submitted for its consideration, your Second Committee, in accordance with the request of the Council, was desirous of fixing the rules of procedure regulating the relations between these organisations and both the Council and the Assembly of the League.

In order to work efficiently, these organisations, in which the most eminent specialists of the various countries would be called upon to take part, cannot be placed in a position of dependence which would deprive them of all initiative; but on the other hand, it is a matter of the greatest importance for the League of Nations that this new machinery should fit in with the main machinery of the League, so as not to upset its delicate mechanism.

The Council of the League, with this object in view, passed a Resolution on 19th May 1920, which has been submitted to your Committee for consideration.

Your Committee decided unanimously that it was ready to adopt the principle laid down by the Council.

And it submits to you, in its turn, the following Resolution, which does not appear to call for special comment.

Resolution.—"With a view to defining the relations between the technical organisation of the League of Nations and the Council and the Assembly of the League, the Assembly, after having noted the Resolution of the Council of the League of Nations, dated 19th May 1920, submitted to it by the Council, adopts the following Resolution. The Resolution will be forwarded to the Secretariats of all technical organisations, which Secretariats must in all cases be administered by the Secretary-General of the League.

The technical organisations of the League now in process of formation are established for the purpose of facilitating the task of the Assembly and the Council by the setting up of technical sections on the one hand and on the other to assist the Members of the League, by establishing direct contact between their technical representatives in the various spheres, to fulfil their international duties.

With this double object, they must keep enough independence and flexibility to make them effectively useful to the Members of the League, and yet they must remain under the control of the responsible organisations which conduct the general business of the League, with a view to verifying whether the proposals are in conformity with the principles and spirit of the Covenant, in accordance with Articles 19 and 20.

The two following principles will serve as a guide :—

(a) *The interior working of the various organisations should be independent.*

They will prepare their own agenda, and communicate it to the Council of the League before discussion thereon takes place.

In exceptional cases in which it is necessary to add to the agenda during the progress of a conference of a technical organisation, and time does not admit of the communication of the additional item to the Council, any decision arrived at thereon shall be provisional only until the Council has had an opportunity of exercising its control.

(b) *Their relations with the Members of the League should be under control.*

Before any communication of the results or proposals of the technical organisations is made to the Members, and before any action concerning a Member is taken, the Council of the League must be immediately informed in order that they may be able to exercise their power of control, if necessary. In this case, the Council may decide that the communication or action in question shall be postponed and request the technical organisation concerned either to withdraw the question from its agenda or to submit it to further consideration.

The technical organisation may, however, request that the decision taken by the Council shall be discussed at the next meeting of the Assembly.

The Assembly of the League should be informed of all questions dealt with in the interval between its meetings by the Council in the exercise of its power of control defined above. It may either be informed of such questions by the Council on its own initiative, or on the proposal of any one of its Members, or at the request of one of the technical organisations of the League."

III.—TECHNICAL ORGANISATIONS.

Once these principles of our internal administration had been established, the Second Committee considered the creation of the technical organisations which have just been referred to.

In connection with all these subjects, the League of Nations must be acquainted with the needs and wishes of the peoples, and the scientific treatment of various subjects ; it must prepare the text of any Agreements or Conventions which may be necessary or useful ; it must approach its labours with the assistance of those concerned, whether Governments or groups of Governments, or even individuals ; in a word, it must keep in constant touch with labouring humanity, and by holding aloof from all special points of view and private interests, it must strive to unite, to conciliate, and to pacify them so that, their claims as far as possible satisfied, they may thus by their voluntary adherence contribute to the general pacification and to universal well-being.

It thus proposes to set up three technical organisations which are immediately necessary—an Economic and Financial Organisation, an Organisation for Communications and Transit, and an Organisation of International Health.

A.—Economic and Financial Organisation.

With regard to the creation of this, the Committee found itself in presence of a detailed Resolution taken by the Council and submitted by it to the Assembly :—

"In order that the League of Nations may proceed without interruption with the working out of measures of an economic and financial nature, which Members of the League shall be called upon to adopt, in accordance with the Covenant of the League, an Economic and Financial Organisation shall be constituted and shall work under conditions laid down in the general Resolution of the Council of the 19th May. As soon as this organisation is constituted, it shall replace the technical provisional Economic and Financial Committee appointed by the Council.

"For this purpose, the Council of the League of Nations shall summon during 1921 a first General Economic and Financial Conference, one of the duties of which shall be the organisation of a Standing Economic and Financial Committee.

"In the regulations to be prepared by the Council for the holding of the Conference, due regard shall be paid to the general principles governing the relations between the technical organisations of the League and the Council, and also to the general provisions already adopted for the other organisations at the same time making such modifications as may be required in view of the object for which the Conference is being called."

Faced by the difficulties presented by the debates on questions of principle, all the Delegations within the Committee were of the opinion that the simplest method would be to refer the matter to the initiative of the Council, and to agree on the establishment of a technical organisation to consider *de facto* conditions and to prepare plans for submission to the Council.

As regards financial questions, everybody knows the remarkable statements made at the Brussels Conference, at which the authority of the most competent men was called in to consider every aspect of the problem. We propose that you should carry these discussions into practice, and we ask you to vote for a technical financial organisation. At the same time let us add that the labours of the Brussels Conference have already taken effect and that important agreements are in course of preparation in respect of the international organisation of credit.

It is in this sense that we propose to you to vote on the motions which have been unanimously adopted by the Committee itself.

Resolutions.

First Resolution.—"The Assembly recognises and proclaims the urgent necessity of a permanent Economic and Financial Organisation.

"It adopts, as a consequence, the following resolution submitted to it for its approval by the Council on 27th October 1920 :—

"In order that the League of Nations may proceed without interruption with the working out of measures of an economic and financial nature, which shall be submitted for adoption by members of the League, in accordance with the Covenant of the League, an Economic and Financial Organisation shall be constituted and shall work under conditions laid down in the general resolution of the Council of the 19th May. As soon as this organisation is constituted, it shall replace the provisional Technical Economic and Financial Committee appointed by the Council.

"For this purpose, the Council of the League of Nations shall summon during 1921 a first Economic and Financial Conference, one of the duties of which shall be the organisation of a Standing Economic and Financial Committee.

"In the regulations to be prepared by the Council for the holding of the Conference, due regard shall be paid to the general principles governing the relations between the technical organisations of the League and the Council, and also to the general provisions that may be adopted for the other organisations, at the same time making such modifications as may be required in view of the object for which the Conference is being called."

2nd Resolution.—"The Assembly having noted the resolution taken by the Council at its meeting in Brussels, 27th October last, considers it indispensable that the Economic and Financial Committee, should continue its work without delay in the manner indicated by the Council.

"It is understood that this Resolution is voted as an interpretative clause to Annex 1A. of the Report on the International Financial Conference presented by M. Bourgeois to the Council at Brussels; viz. :—

"ANNEX 1A.—Resolution with regard to the Provisional Committee.

"Pending the coming into operation of a definite organisation, for the preparation of which some time will be necessary, it is essential that the Council should immediately form a limited Provisional Committee to advise it :—

(a) In considering the immediate application of the recommendations of the Brussels Conference ;

(b) In preparing the agenda for the next General Economic and Financial Conference ;

(c) In examining the economic and financial problems submitted to it by the Council.

"For this purpose a Committee should at once be appointed by the Council."

Third Resolution.—"The Assembly associates itself with the opinions expressed by the Council in its note addressed to all the Governments following on the Brussels Conference ; it considers, in fact, that, in the present conditions of Europe, there is urgent need for the different Governments to apply the principles laid down by the Brussels Conference as completely as possible within each of their countries. The Assembly particularly emphasises the urgent necessity unanimously expressed by the Brussels Conference, that all national wealth should be employed in strictly productive channels."

B.—Communications and Transit.

We now come to the second technical organisation which is in process of creation, and whose subject, though very limited, does not yield in importance to any other.

As you will remember, Article 23 (e) of the Covenant imposes on the Members of the League the obligation "of making provision to secure and maintain freedom of communications and of transit." Thus the League of Nations has been induced to deal with questions of transport, the international character of which cannot be doubted. In the present state of the world no question

* An additional paragraph originally suggested by M. Ador, which gave expression to a desire for the reduction of armaments, was withdrawn by its proposer and submitted to Committee No. VI. for consideration.

of transport can properly be regarded as not affecting the generality of nations ; but among the questions of transport, that of transit is undoubtedly one of the most specifically international problems. Transports in transit, that is to say, those which cross a national territory while their place of departure and their destination lie outside this territory, obviously cannot be limited or trammelled in favour of the sovereign State without thereby unjustifiably injuring other States. Such injury might give rise to reprisals, and would thus extend even beyond the States immediately concerned, and would seriously tend to trouble the peace of the world by the material inconvenience and the state of unrest which it would cause.

In accordance, therefore, with the terms of the Covenant, it is above all necessary, especially in considering the present configuration of frontiers, and the number of States who have no access to the sea, to obtain international guarantees under the auspices of the League of Nations, for freedom of communications, and, in particular, of transit. Moreover, certain Articles of various Peace Treaties express the sense of Article 23 (e) of the Covenant more explicitly, and, with this object in view, lay down certain international Conventions which deal with the freedom of transit, ports, navigable waterways and railways.

Moreover, in these matters, the same Treaties assign to the League of Nations a certain number of other technical duties which would take too long to enumerate.

To establish the organisations which are to fulfil these various duties, the Assembly found that, as in the case of the Economic and Financial Organisation, it was faced with a former scheme. Indeed, and the fact was recalled by M. Loudon in his interesting and detailed statement before the Second Committee, the French Government, struck by these considerations, convened a Committee composed of delegates from the same Powers which were represented on the Ports, Waterways and Railways Commission at the Peace Conference and of delegates from certain other Powers specially interested in questions of communication and transit ; this Committee was to consider the methods by which the League of Nations could accomplish this task. The mission of the Committee was confirmed by a Resolution of the Council on 13th February last, and it did not delay in submitting to the Council a Report specially dealing with the Permanent Organisation of Communications and Transit. This Report led to the Resolution taken by the Council at Rome on 19th May 1920. The Second Committee was therefore, faced, on the one hand, with a scheme maturely considered by an assembly of most competent men who were inspired by the Covenant and by the existing systems in the important matter of communications and transit, who laid the foundations for the organisation which is henceforth to inform, advise, and guide the League of Nations ; and, on the other hand, it was faced by a Resolution of the Council sanctioning this point of view. These two documents formed the basis of its discussions.

The Second Committee asked the Honourable M. Loudon, the Dutch delegate, to draw up a Report and to submit Resolutions bearing on this subject for its consideration.

The Resolutions on M. Loudon's Report were unanimously adopted by the Second Committee, with some slight modifications of the text of the Resolution of the Council, and we now submit them, in their final form, to the vote of the Assembly.

Resolution.—“ I. The Members of the League of Nations are hereby invited to send special Representatives to a General Conference on Freedom of Communications and Transit, to meet at Barcelona as soon as possible after the meeting of the Assembly. This Conference shall be invited to :—

- (1) Draw up, under conditions laid down in the Resolution regarding the relations between the Technical Organisations and the Council and the Assembly of the League of Nations, the measures which may be taken by the Members of the League in fulfilment of that part of Article 23 (e) of the Covenant which concerns freedom of communications and transit, as well as the General Convention on the international régime of transit, of ports, of waterways and of railways referred to in Articles 338 and 379 of the Treaty of Versailles.
- (2) Determine under the same conditions whether the measures which it elaborates should take the form of Draft Conventions to be ratified by the Members of the League or of “ recommendations ” to the various Governments, or of Draft Resolutions to be adopted by the Assembly of the League.
- (3) Regulate its own procedure and make suitable arrangements for subsequent meetings by means of special rules and regulations to be adopted by two-thirds of the representatives of the Members of the League.
- (4) Hold its subsequent meetings convened by the Council of the League of Nations at Geneva, unless the Council of the League decides otherwise for special and exceptional reasons.

II. The Conference shall likewise be invited to organise a Standing Communications Committee, the headquarters of which shall be at Geneva. This Committee shall be a consultative and technical body to consider and propose measures calculated to assure freedom of communications and transit at all times, and to assist the Council and Assembly of the League in discharging the functions entrusted to the League by Article 24 of the Covenant and by Articles 342, 377, and 378 of the Treaty of Versailles, and the corresponding Articles in the other Treaties.

The Committee will plan the meetings of the Conference and prepare its agenda ; it will exchange all requisite information concerning communications and transit with the appropriate technical Ministries of the Members of the League ; it will be entrusted with the investigation of any disputes which may be referred to the League under Articles 336, 376, and 386 of the Treaty of Versailles, and corresponding Articles in the other Treaties of Peace, and will endeavour to adjust such disputes whenever possible by conciliation between the parties ; in the event of such disputes being brought before the Permanent Court of International Justice, the Committee may be called upon to assist the Court.

III. The Secretary-General of the League of Nations will render every possible assistance to the General Conference and to the Committee; he will, with the assistance of the existing Committee of Enquiry on Freedom of Communications and Transit, take the necessary measures for the first meeting of the Conference, and he will designate members of the International Secretariat to act as Secretaries of the Conference and of the Standing Committee.

IV. The general expenses of the Conference and of the Committee, and the travelling and subsistence allowances of the members of the Committee only, shall be defrayed out of the general funds of the League."

The General Conference, which, in accordance with the Resolution submitted to you and in response to the very kind invitation of the Spanish Government, is shortly about to hold its first meeting at Barcelona, will study its agenda; it will itself decide on its own methods of procedure and propose its own solutions. Its task, however, will be greatly facilitated by the Committee of Enquiry to which I have already alluded, and which, in accordance with the instructions of the Council of the League of Nations, has elaborated at Paris not only a draft agenda, but also the texts of preliminary drafts for eventual conventions on freedom of transit, navigable waterways, railways, on the right to a maritime flag of States not in the possession of a sea-board, a draft resolution with regard to ports, as well as an explanatory report drawn up by the Secretary-General of the Committee, and which is above all praise.

A very great importance must be attached to the first General Conference, for it will be the first time that the competent authorities of the whole world will be gathered together to collaborate in this task, which is a matter of equal and vital concern to all.

As regards this matter, I wish particularly to remind you that an invitation to the Barcelona Conference has been addressed to the Government of the United States. We all hope that we shall not be refused the assistance of its experts, which proved of such value to us at the Financial Conference at Brussels, since, in this case more than in any other, the co-operation of the world is indispensable.

Jurisdiction on Communications and Transit.

The Assembly will also have to take resolutions as regards jurisdiction over Transit. We cannot do better than to give the following extract on this subject from the report of M. Loudon:—

'As regards Communications and Transit, the League of Nations has, in addition to the duties provided for by the Council's Resolution of the 19th May last, a judicial task which has been assigned to it by the various Treaties of Peace.

'Article 376 of the Treaty of Versailles states that disputes which may arise with regard to the interpretation and application of Part XII. of the Treaty relating to ports, waterways, and railways shall be settled as provided by the League of Nations. Several other Articles, especially Nos. 336, 337, and 386, anticipate a recourse to the jurisdiction established by the League of Nations for this purpose. The other Treaties of Peace contain similar provisions. Consequently, it is incumbent on the Assembly to take at once the steps necessary for setting up, before any disputes arise, the jurisdiction to which the parties may have recourse.

'Article 13 of the Covenant declares that disputes as to the interpretation of a treaty, as to any question of international law, as to the existence of any fact which, if established, would constitute a breach of any international obligation, or as to the extent and nature of the reparation to be made for any such breach, are among those which are generally suitable for arbitration.

'All the disputes provided by the above Articles would seem to fall under this enumeration. The choice of the jurisdiction is left by these Articles to the League of Nations.

'It is, therefore, obvious that this jurisdiction is the one created by the League of Nations, that is to say, the Permanent Court of International Justice.

'It is perfectly understood that the disputes in question shall not be brought before the Court, except after the failure of the measures of conciliation provided for by the Resolution on the Transit Organisation.'

Until such time as the Permanent Court is able to enter upon its duties, it will be necessary to submit eventual disputes to a special Tribunal of Arbitration. Under the circumstances, the Assembly might adopt the following Resolution:—

Resolution.—"All disputes brought before the League of Nations, under Articles 336, 337, 376 and 386 of the Treaty of Versailles and under analogous Articles of the other Treaties of Peace, which are not settled by the procedure provided in the Resolution relating to the organisation of Transit shall be brought before the Permanent Court of International Justice. Until the Permanent Court of International Justice is in a position to deal with such disputes, they shall be brought before a Court of Arbitration of three Members, appointed as follows:—

"One Member appointed by the Plaintiff or plaintiffs, one Member appointed by the Defendant or Defendants, one Member appointed by the Council of the League of Nations, who shall act as President of the Court."

If the preceding Resolution is adopted by the Assembly, the Council of the League of Nations can take, and communicate to the Parties concerned, all measures with regard to the details required for putting it into force.

C.—Health.

As regards international measures concerning health questions, the instructions of the Covenant are contained in a single line of Article 23 (f):—

"The Members of the League will endeavour to take steps in matters of international concern for the prevention and control of disease."

All who have followed the progress of health and international prophylaxis during the last half century realise how much has been accomplished for the good of humanity in such matters by the good-will of the nations intelligently directed by eminent specialists.

I myself, having had the honour of taking part 20 years ago in the Conferences which organised the fight against cholera and of plague, having witnessed the wonderful effects of the conventions which resulted from the Conferences, being able to testify to the fact that these conventions have kept back these scourges, and being able definitely to state the exact date when the last western epidemic yielded before the thoroughness with which the international system of protection was organised, I am in a position to state with all emphasis how fertile in results may be the work which the League of Nations will undertake in the future in accordance with the instructions so simply set forth in these lines of the Covenant.

It is, therefore, with the most complete confidence that I submit to you in conformity with Mr. Barnes' report the conclusions which are the results of the preliminary investigations and of the discussions carried on in the Second Committee.

Here we found ourselves already provided with carefully elaborated reports.

A special Committee was convened by the British Government on 29th and 30th July 1919, and a second Committee, to which additional experts had been added, was convoked on 13th April 1929. The report of the latter Committee was submitted to the Council, which accepted its conclusions, and has transmitted them to us, in order that we may obtain its approval by the Assembly.

But it should be pointed out that we on this subject have to deal with one of the eventualities provided for by the following passage in Article 24 of the Covenant :—

“ There shall be placed under the direction of the League all international bureaux already established by general treaties if the parties to such treaties consent.”

An International Health Office, the Office International d'Hygiène Publique, already existed at Paris. It was a question of adapting it to the rôle which it would have to fulfil under the authority of the League of Nations.

Your Second Committee, after carefully considering the circumstances, recommends that you should adopt in their entirety the proposals of the London Conference, which were accepted by the Council with certain slight modifications due to amendments representing the combined wisdom of our experts.

These proposals would, then, take the form of a resolution, and it is this resolution that we are now submitting to the Assembly :—

Resolution.—“ In pursuance of Articles 23 (f), 24 and 25 of the Covenant of the League of Nations, and in order to facilitate the discharge by the League of Nations of the responsibilities which may be placed upon it by provisions of the various Treaties of Peace, the Assembly of the League of Nations resolves as follows :—

That a permanent International Health Organisation be established as part of the organisation of the League of Nations.

Functions of the Organisation.

It will be the task of the Organisation to deal with such matters as affect individual countries only in their relation to other countries.

The main functions of the Organisation may be summarised under the headings which follow, and their exercise shall be determined by the Permanent Committee :—

- (a) To advise the League of Nations in matters affecting health.
- (b) To bring Administrative Health Authorities in different countries into closer relationship with each other.
- (c) To organise means of more rapid interchange of information on matters where immediate precautions against disease may be required (e.g., epidemics) and to simplify methods for acting rapidly on such information where it affects more than one country.
- (d) To furnish a ready organisation for securing or revising necessary international agreements for administrative action in matters of health, and more particularly for examining those subjects which it is proposed to bring before the Standing and General Committees, with a view to International Conventions.
- (e) In regard to measures for the protection of the worker against sickness, disease and injury arising out of his employment which fall within the province of the International Labour Organisation, the International Health Organisation will co-operate with and assist the International Labour Organisation, it being understood that the International Labour Organisation will on its side act in consultation with the International Health Organisation in regard to all health matters.
- (f) To confer and co operate with international Red Cross Societies and other similar societies.
- (g) To advise, when requested, other voluntary organisations in health matters of international concern.
- (h) To organise missions in connection with matters of health at the request of the League of Nations and with the concurrence of the countries affected.

The permanent International Health Organisation shall consist of (1) the Office International d'Hygiène Publique, which, with certain additions set out below, will become the General Committee; (2) a Standing Committee; and (3) an International Health Bureau. In carrying out its duties the Organisation shall conform to the general principles laid down in the Resolution of the Council, as to the relations between the Technical Organisations and the Council and the Assembly of the League of Nations, passed at Rome 19th May 1920.

The Office International d'Hygiène Publique.

The Office International d'Hygiène Publique, changed as indicated below, shall, subject to the approval of the Governments signatory to the International Agreement signed at Rome, 9th December 1907, form part of the new Permanent International Health Organisation. The headquarters of the Office International d'Hygiène Publique shall remain in Paris.

Members of the General and Standing Committees and of the staff of the International Health Bureaus shall have the right to use the library of the Office International d'Hygiène Publique and its rooms in Paris shall be available for special meetings if required.

The Office International d'Hygiène Publique shall undertake such duties of a technical character as may be assigned to it by the Standing Committee, in accordance with the resolution agreed to by the Committee of the Office International d'Hygiène Publique at the meeting held in Paris on 30th October 1919.

The Office International d'Hygiène Publique will, subject to the consent of the Governments signatory to the International Agreement signed at Rome 9th December 1907, agree to such alterations as may be found necessary in the "Statutus Arganiques" of the Rome Convention of 1907 (especially Article 15) and in the rules governing the internal administration of the Office, especially Article 8 of Part I. of these Rules, but no alteration shall be made in Part II. with regard to the "Caisse des Retraites et de Secours," which is prejudicial to any person entitled to benefit therefrom.

The General Committee.

The General Committee shall consist of the Delegates to the Office International d'Hygiène Publique now holding appointments in accordance with the International Agreement signed at Rome, 9th December 1907, or who may hereafter be so appointed by any country party to that Agreement, together with delegates appointed by countries not parties to the Agreement of 1907 but Members of the League of Nations.

The General Committee shall meet at least once a year at the headquarters of the Office International d'Hygiène Publique in Paris. In cases of emergency the Council may convene the General Committee for an extraordinary session.

The General Committee shall appoint its own President, regulate its own procedure, and may at any time appoint sub-committees to consider any special question. Any delegate may at any time call in the assistance of technical advisers, but the advisers shall not vote.

A delegate, however, who during the progress of a Session may for any reason be unable to attend any particular meeting, may, by notice in writing addressed to the President, appoint an adviser to act as his deputy, and this adviser while so acting shall be allowed to vote.

The Standing Committee.

The Standing Committee shall elect its own Chairman and regulate its own procedure, but shall meet not less than four times a year, and may in addition at any time be called to deal with questions requiring urgent consideration. It shall be empowered to form sub-committees and to call in technical advisers on special points, but these advisers shall have no voting power.

Full reports of the Proceedings of the Standing Committee and of all sub-committees shall be submitted to the General Committee and to the Secretary-General of the League of Nations through the Medical Secretary.

The Chairman and members of the Standing Committee shall hold their appointments for three years only, but shall be eligible for reappointment or re-election.

The International Health Bureau or Personnel of the Standing Committee at the seat of the League of Nations.

This shall consist of (a) a Medical Secretary; (b) personnel.

The Medical Secretary shall be appointed by the Standing Committee in consultation with the Secretary-General and shall be responsible to this Committee for the efficient working of the International Health Bureau, and for any other duties that may be assigned to him by the Standing Committee. He shall have the right of direct access to the Secretary-General of the League of Nations, and shall be empowered to have direct communication with all Government Health Offices.

He shall be entitled to attend all meetings of both Standing and General Committees and shall be a member *ex officio* of all Committees and sub-committees.

The personnel of the International Health Bureau at the seat of the League of Nations shall be appointed by the Standing Committee in consultation with the Medical Secretary, and, as far as possible with due regard to the efficiency of the work of the office, shall consist of persons of different nationalities.

The headquarters of the International Health Bureau shall be at the seat of the League of Nations.

Conventions.

The Standing Committee shall be empowered to draw up any draft new Conventions or revise existing ones.

These Conventions must, however, be submitted to the General Committee for consideration and approval, and a majority of two-thirds of the votes of the General Committee will be required on the final vote for the adopting of the draft Convention.

In framing any Convention the Committee shall in all cases consult with the Economic and Transit Organisations of the League of Nations where the matter is in any way likely to affect International Commerce, Communications or Transit. If it be decided that the draft Convention shall be adopted, it shall be signed by the President of the General Committee and the Medical Secretary of the International Health Bureau, and then be deposited with the Secretary-General. This draft Convention will be submitted by the Council of the League of Nations to the Governments concerned with an invitation that if they approve the Convention, the Convention should, within as short a time as possible, and without further examination, be signed by plenipotentiaries.

Each country undertakes to ratify a draft Convention thus signed and deposited before one year has passed or to signify to the Secretary-General, before the expiration of that period, its decision not to ratify and the reasons for that decision, and each member of the General Committee undertakes himself to keep the question of the draft Convention before the Authority within whose competence the matter lies, with the object of obtaining a decision as soon as possible from the country which he represents.

Any Convention so ratified shall be registered by the Secretary-General of the League of Nations, but shall only be binding upon the country which ratifies it.

Each member of the General Committee agrees to make special or annual reports on the measures which the country he represents has taken to give effect to the promises of the Convention to which it is a party, and these reports shall be made when and in such form as the Standing Committee may prescribe. Similar reports shall be requested from countries not signatory to the Convention concerned on matters affecting the subject-matter of the Convention.

These reports shall be circulated to all members of the General Committee, and shall in addition be given publicity in the Press if necessary.

Expenses.

The expenses of all new organisations, special committees and administrative charges of the International Health Bureau of the League of Nations shall be paid from the consolidated funds of the League.

The Medical Secretary of the International Health Bureau shall prepare in advance an annual statement of all the ordinary expenditure for submission to the Standing Committee, whose duty it will be to recommend sanction for the proposed expenditure to the Council of the League of Nations through the medium of the Secretary-General. Extraordinary expenses shall be submitted by the Medical Secretary to the Standing Committee, which will present the same as a matter of urgency to the Council of the League of Nations through the medium of the Secretary-General.

The Medical Secretary shall be responsible to the Secretary-General of the League of Nations for the proper expenditure of all moneys paid to him, and shall submit to such audit as may be deemed desirable.

Until otherwise determined, the expenses of the Office International d'Hygiène Publique shall be paid as at present by contributions according to the apportionment of the International Agreement signed at Rome, 9th December 1907.

The Office International d'Hygiène Publique shall from time to time submit to such auditing of expenditure as may be deemed desirable by the Secretary-General of the League of Nations, in regard to any sums applied by the League to provide for the expenses noted above.

The Secretary-General of the League of Nations shall render all possible assistance to the Permanent International Health Organisation."

D.—Composition of the Standing Committees for Transit and Health.

The Second Committee is of opinion that the question of the composition of the Standing Committees for Transit and Health should be the subject of resolutions distinct from those which lay down the broad lines of these two organisations.

After an exchange of views which followed expositions by the delegate of Venezuela (who had taken up the resolution presented by the Argentine Delegate) and by the delegate of Chile, the Committee agreed by a majority on the two following Resolutions, which give effect in some measure to the desiderata formulated by these delegates. These are now submitted to you as supplementary resolutions :—

Resolution regarding the composition of the Transit Standing Committee.—"This Committee shall consist of members nominated by those Members of the League which are permanently on the Council, in the proportion of one Member by each of those Members of the League and also of eight Members selected in a manner to be determined by the Conference, having regard as far as possible to technical interests and geographical representation."

Resolution regarding the composition of the Health Standing Committee.—"The Standing Committee shall consist of delegates of the States permanently represented on the Council of the League of Nations, five Members elected by the General Committee—having regard to their scientific attainments and to geographical representation—the President of the General Committee, a representative of the League of Red Cross Societies and a representative chosen by the Governing Body of the Labour Conference."

Now that this report, the length of which I admit exceeds the usual limits, has been read, and that the Resolutions have been voted upon, I will not occupy the attention of the Assembly for a moment longer.

• Even taking into consideration the technicality of the subject, I cannot doubt that universal public opinion will be impressed by the rapidity and cordiality with which such important decisions have been arrived at.

The League of Nations is now in a position to approach in the terms of the Covenant those questions which concern the very life of humanity,—Commerce, Finance, Transit, Health,—and you will not be surprised if your reporter adds, in conclusion, the special necessities of the regions devastated by the war: all these subjects are in future to be entrusted to the best qualified men for investigation and study. It will now be for them to bring before us the fruits of their labours, and if, as we have every reason to hope, the results are very beneficial they will be due to your wisdom, to your desire for agreement, to your high conception of human fellowship.

ANNEX 6.—Report of Committee No. II, by Sir William Meyer, on the general supervision over the execution of agreements with regard to the Traffic in Opium and other dangerous drugs in accordance with Article XXIII. of the Covenant.

I have the honour, in accordance with the task imposed upon me, to submit to the Committee an account of the questions at issue in respect of Item 15 on the General Agenda of the Assembly. That item is there described thus:—"General supervision over the execution of agreements with regard to the traffic in opium in accordance with Article XXIII. of the Covenant (at the request of the Government of the Netherlands)."

I may remark here that it is not merely opium that is in issue, but other and more dangerous drugs of a like character such as morphia, cocaine, and their derivatives. See in this connection Article 23 (c) of the Covenant.

In order that the Committee may fully appreciate the importance of the questions involved, I think it is desirable to give a short historical summary of the international action hitherto taken.

International Opium Commission, Shanghai, 1909.

This Commission was convened at Shanghai in 1909 on the initiative of the United States. The following nations were represented:—United States, Austria-Hungary, China, France, Germany, Great Britain, Japan, Netherlands, Persia, Portugal, Russia and Siam. This Commission made the following recommendations:—

- (1) That the Chinese Government and people were to be congratulated on the sincerity and success of their efforts to check the opium traffic.
- (2) That each delegation should move its own Government to take measures for the gradual suppression of opium-smoking in its own territories.
- (3) That the use of opium in any form otherwise than for medicinal purposes being in almost every participating country a matter for prohibition or for careful regulation, such systems of regulation should be re-examined with a view to making them still more stringent.
- (4) That all countries represented having strict laws against smuggling of imported opium, similar strictness should be shown in the regulation of opium exports.
- (5) That the sale and distribution of morphine already constituted grave danger and each Government should take drastic measures to control the manufacture, sale and distribution of this drug and of other deleterious derivatives of opium.

Other recommendations urged the suppression of opium divans, and the application of strict pharmacy laws in foreign concessions and settlements in China, and the prohibition of the trade in deleterious anti-opium remedies.

Anglo-Chinese Agreement, 1911.

On the 5th May 1911, an Agreement was signed between His Britannic Majesty's Government and the Chinese Government, which embodied Great Britain's effort to show a practical appreciation of the recommendations of the 1909 Commission. By this Agreement the work of an earlier agreement (1907) was hastened so as to bring the import trade of opium from India to an end *pari passu* with the progress of the Chinese Government in stopping the production of opium in China. As a result of this Agreement, the formerly legitimate foreign opium trade in China came entirely to an end on the 31st December 1917. India, I am say, thereby sacrificed revenue amounting to several million pounds sterling.

International Opium Convention, 1912.

Meanwhile, on the 1st December 1911, an International Opium Conference met at The Hague, again on the initiative of the United States of America, and on that Conference I had the honour to represent the British Empire. The aim of this Conference, as stated in the preamble to the Convention it drew up, was to advance a step further on the road opened by the International Commission of 1909, and to bring about the gradual suppression of the abuse of opium, morphine and cocaine, as also of the drugs prepared or derived therefrom which give rise to similar abuses. This Conference was more formal in character than the 1909 Commission, whose functions had been merely advisory. The delegates at The Hague Conference were empowered to sign a Convention,

which was to have the force of a treaty. The following Powers were represented:—United States of America, China, France, Germany, Great Britain, Netherlands, Italy, Japan, Persia, Portugal, Siam and Russia. On the 23rd January 1912 the International Opium Convention was signed. The principal articles in the Convention are as follows:—

(1) *Raw Opium*.—The contracting Powers undertake to enact laws for the control of the production and distribution of raw opium, and to limit the number of ports through which export and import shall be permitted.

(2) *Prepared Opium*.—The contracting Powers will take measures for the gradual and effective suppression of the manufacture of, internal trade in, and use of prepared opium. They will prohibit the import and export of prepared opium, except as regards those Powers which are not ready to prohibit it immediately: and even they undertake strictly to regulate the traffic and prohibit it as soon as possible.

(3) *Medicinal Opium, Morphine, Cocaine, Heroin, &c.*.—The contracting Powers will enact pharmacy laws to confine the manufacture, sale and use of such drugs to medicinal and legitimate purposes. They will co-operate with one another to prevent the use of these drugs for any other purposes. Every effort will be taken to regulate the import and export, and to prevent these drugs coming into the possession of unauthorised persons; they will not be exported from the territories of one contracting Powers to those of another, except when consigned to persons furnished with the licences or permits provided for by the laws or regulations of the importing countries.

A special Chapter is devoted to the trade with China, in which the contracting Powers undertake to reduce *pari passu* with measures taken by China itself the opium shops and dens in foreign territories, concessions and settlements in China; and to prevent smuggling and illegal use of postal facilities in that country.

The contracting Powers were to examine the possibility of making it a penal offence to be found in illegal possession of opium and kindred drugs.

They are to communicate to one another, through the Ministry for Foreign Affairs of the Netherlands, the text of existing laws, or future laws and regulations, and statistical information bearing on the subject. Any Power not represented at the Conference was to be invited by the Netherlands Government to sign the Convention.

Finally, the Netherlands Government were to invite all the Powers, and not merely those represented at the Conference, to ratify the Convention with its protocol. As soon as the ratifications had been deposited, the Netherlands Government were to notify all the Powers, and the Convention was to come into force three months after the date upon which the last ratification had been deposited. Laws, regulations and other measures arising out of the Convention were to be prepared not later than six months after the entry into force of the Convention; and the date on which these laws, regulations, &c., were to come into force was to be arranged by the Powers concerned, at the instance of the Netherlands Government.

By the protocol to this Convention the Conference expressed its wish (1) to direct the attention of the Universal Postal Union to the urgency of regulating the transmission through the post of raw opium, morphine, cocaine, &c., and of prohibiting the transmission of prepared opium; and (2) to study the question of Indian hemp, with the object of regulating its abuses.

An article of the Convention provided for the assembling of a further Conference in the event of delay in obtaining the signatures of all the Powers invited. Accordingly a second International Opium Conference met in 1913, and decided that although certain Powers who had been invited to sign the Convention had not then done so, the deposit of the ratifications might nevertheless take place. A third Conference was held at The Hague on the 15th-16th June 1914. By that time 44 out of 46 Powers had decided to sign the Convention; 11 of the former had already ratified, 14 more were disposed to do so, while not one of the remaining 19 signatories had expressed any intention of not proceeding to put the Convention into force. The non-signatories were Turkey (for economic reasons) and Serbia (because she had been unable to study it sufficiently).

The points secured by the Third Conference were as follows:—

(1) An all but unanimous expression of opinion on the part of the signatory Powers represented in favour of the Convention coming into force without awaiting the signature by the remaining two invited Powers. Germany alone opposed this resolution.

(2) An absolutely unanimous request to the Netherlands Government to press for early ratification by all the signatory Powers which had not yet ratified in order that the Convention might come into force as soon as possible.

(3) A recognition by the Conference, although with several abstentions, of the feasibility of enforcement by a group of Powers who might be ready to co-operate for that purpose without awaiting the automatic enforcement of the Convention (provided for in Article 24) after ratification by all the signatory Powers. The date as from which such group enforcement might take place was fixed as the 31st December 1914, and a special protocol was to be provided for Powers desiring to co-operate to this end for signature by them.

The Netherlands Ministry for Foreign Affairs was unanimously requested to make urgent representations to all signatory Powers to complete their ratifications in order that the Convention might come into force as soon as possible.

At the time of the Third Conference Great Britain had not yet ratified the Convention owing to technical difficulties concerning the signature and ratification on behalf of the various Dominions and Colonies; these difficulties, however, had ceased to exist, and the British delegates were instructed to inform the Conference that His Majesty's Government would deposit the instruments of ratification as soon as the necessary formalities had been carried out. Unfortunately the outbreak of the war suspended progress in this promising experiment in international legislation.

The Opium Convention and the Versailles Treaty, 1919.

By Article 295 of the Treaty of Peace with Germany it is provided that those of the high contracting parties who have not yet signed or who have signed, but not yet ratified, the Opium Convention signed at The Hague on the 23rd January 1912, agree to bring the said Convention into force, and for this purpose to enact the necessary legislation without delay, and in any case within a period of 12 months from the coming into force of the treaty. Furthermore, they agree that ratification of the treaty should, in the case of Powers which have not yet ratified the Opium Convention, be deemed in all respects equivalent to the ratification of that Convention and to the signature of a special protocol, which was opened at The Hague in accordance with the resolutions adopted by the Third Opium Conference in 1914 for bringing the said Convention into force. For this purpose the Government of the French Republic was to communicate to the Netherlands Government a certified copy of the protocol of the deposit of ratifications of the Versailles Treaty and to invite the Government of the Netherlands to accept and deposit the said certified copy as if it were a deposit of ratifications of the Opium Convention and a signature of the additional protocol of 1914.

According to Article 23 (c) of the Covenant of the League of Nations, the members of the League "will entrust the League with the general supervision over the execution of agreements with regard to the traffic in women and children, and the traffic in opium and other dangerous drugs."

Similar provisions appear in the treaties with Austria (Treaty of Saint-Germain, Article 247), with Hungary (Treaty of the Trianon, Article 230), with Bulgaria (Treaty of Neuilly, Article 174) and with Turkey (Treaty of Sèvres, Article 280). This last is of special interest, as Turkey was one of the Powers which had refused to sign the original Opium Convention.

Signatories of the Opium Convention.

The following Powers signed the Opium Convention as original signatories :—

Germany, United States, China, France, Great Britain, Italy, Japan, Netherlands, Persia, Portugal, Russia, Siam.

The following Powers who were not parties to the Convention signed at the invitation of the Netherlands Government :—

Argentina, Belgium, Bolivia, Brazil, Bulgaria, Chile, Columbia, Costa Rica, Cuba, Denmark, Dominican Republic, Ecuador, Spain, Guatemala, Haiti, Honduras, Luxemburg, Mexico, Montenegro, Nicaragua, Norway, Panama, Paraguay, Peru, Roumania, Salvador, Sweden, Switzerland, Uruguay, Venezuela.

The following Powers, which had not signed before, became signatories through the signing of one or more of the Treaties of Versailles, Saint-Germain, Trianon, Neuilly, and Sèvres :—

The Hedjaz, Liberia, Poland, the Serb-Croat-Slovene State, Czecho-Slovakia, Armenia, Turkey, Austria, Hungary, Greece ; also the British Dominions and India, which in respect of The Hague Convention itself were represented by Great Britain.

Ratification of the Opium Convention.

The following Powers have independently ratified the Opium Convention :—

United States of America, Belgium, China, Denmark, Ecuador, Guatemala, Italy, Portugal, Siam, Brazil, Sweden, Venezuela, Honduras, Netherlands, Spain, Norway, Uruguay, Great Britain, Nicaragua.

The following Powers have ratified the Opium Convention through ratification of one or more of the Treaties of Versailles, Saint-Germain, and Neuilly :—

France, Japan, Bolivia, Cuba, Greece, Haiti, Liberia, Panama, Peru, Poland, Roumania, the Serb-Croat-Slovene State, Czecho-Slovakia, Germany, Austria, Bulgaria ; also the British Dominions and India.

Of the States which have now signed the Opium Convention in one form or another the following do not yet appear to have ratified :—

The Hedjaz, Persia, Chile, Argentina, Luxemburg, Mexico, Costa Rica, Dominican Republic, Salvador, Columbia, Paraguay, Turkey, Hungary, Armenia, Switzerland.

The following newly-recognised, or not yet recognised, Powers have not signed the Opium Convention :—

Finland, Latvia, Lithuania, Esthonia, Georgia, Azerbaijan, Soviet Russia.

It may interest the Committee to know what steps have in the meanwhile been taken in the British Empire for action in accordance with the terms of the Convention.

The British Dangerous Drugs Act, 1920.

So far as the United Kingdom is concerned, legislative sanction was obtained for enforcing the terms of the Opium Convention by the Dangerous Drugs Act (10-11 Geo. V., Ch. 46), which came into operation on the 1st September 1920. The principal articles of the Act may be summarised as follows :—

- (1) *Raw Opium*.—Export and import entirely forbidden except under licence and through approved ports. Power to make regulations for controlling or restricting production, possession, sale and distribution of raw opium.
- (2) *Prepared Opium*.—Export and import entirely forbidden ; the manufacture, possession, sale and use of prepared opium, and possession of opium-smoking utensils, made a penal offence.

- (3) *Cocaine, Morphine, &c.*—Import and export prohibited except under licence. Power to make regulations for controlling manufacture, sale, possession and distribution, &c., of these drugs.

Heavy penalties are provided for infringement of the Act, and provision made for inspection of the premises and books of those engaged in the manufacture, sale, &c., of the drugs.

Action taken in the British Empire generally.

Furthermore, regulations for restricting the traffic are being brought into effect and strengthened, where necessary, in the self-governing Dominions and other parts of the British Empire; and information regarding these regulations is being collected and will be communicated in accordance with Article 21 of the Convention. As regards India, substantial effect has been given to the provisions of The Hague Convention, and the Government of India have been asked by His Majesty's Government to examine the whole body of law and procedure and make such alterations and amendments as may be necessary to bring it into precise agreement with the provisions of The Hague Convention.

Action taken by British Foreign Office.

Lord Curzon in a circular-despatch of 22nd March 1920, drew the attention of His Majesty's Representatives abroad to the obligations incurred under the Opium Convention. His Lordship went on to state that there is reason to believe that, in spite of the efforts of His Majesty's Government and of the other Governments concerned, morphia produced in the United Kingdom is at present reaching the Far East in quantities largely in excess of the amount required for legitimate purposes, and His Majesty's Government are therefore of opinion that it is desirable that steps should be taken forthwith to regulate the export to all countries, whether their Governments are parties to the Opium Convention or not, of the drugs specified in Chapter 3 of the Convention. An arrangement has been made by His Majesty's Government with the United States, French and Japanese Governments whereby no consignment of morphia, or kindred drugs, is allowed to be exported from the United Kingdom to any of the countries in question except on the production of a certificate from the Government concerned stating that it is satisfied that the consignment is required exclusively for legitimate medical or scientific purposes, and will not be re-exported.

His Majesty's Representatives were instructed that it was desired to extend this system as widely as possible, and that the various Governments were to be approached with a view to ascertaining whether they would be prepared to enter into a similar arrangement with His Majesty's Government, without prejudice to any legislation of a stricter nature which they might introduce at a later date, in regard to their imports from the United Kingdom of medical opium and other deleterious drugs. At the same time they were warned that in the event of any country being unwilling to adopt this proposal, His Majesty's Government might be obliged to refuse licences. Replies to this circular have been received from 13 countries, and, although they raise a variety of different points which are now being dealt with, they are all favourable in character. The question of the adoption of similar arrangements by other parts of the British Empire has been recently submitted to the Governments and administrative authorities concerned for their consideration.

Action taken under the Postal Union Convention.

Finally, with reference to the Protocol of the 1912 Opium Convention, and the desire therein expressed that the Universal Postal Union should take steps to regulate the transmission of opium and kindred drugs through the post, it may be noted that under the terms of the present Postal Union Convention it is forbidden to send by post any article whatsoever of which the importation or circulation is prohibited by the country of destination. Many postal administrations, including the Chinese, prohibit or restrict under regulation the importation by post of opium and kindred drugs.

I now come to the letter from the Netherlands Minister in London to the Secretary-General which is among our papers and has placed the matter before the Assembly and this Committee. After discussion of the previous conditions, which I have covered somewhat more fully in my own remarks, the Netherlands Government points out that, under the Convention, it had various honourable and special duties attaching to it. As regards ratification, it considers that the steps which have culminated in the recent Treaties have practically solved the matter. There remains the task laid upon the Netherlands Government as an intermediary through which the different Powers will communicate to each other the regulations and measures connected with opium, &c., as well as statistical data bearing on the matter. Also the duty entrusted to it by Article 24 of The Hague Convention of initiating fresh negotiations, where necessary, in respect of questions arising in connection with future concerted action. The Netherlands Government, as I think very justly, holds that the establishment of the League of Nations and the provisions made under Articles 23 (c) and 24 of the Covenant should now be held to relieve it of the duties which it has hitherto so honourably and efficiently performed; in fact, it should pass over to the League the duties imposed on it by The Hague Convention.

The letter ends with the proposals (1) that the States which are especially interested in the campaign against opium shall be represented on the Committee entrusted with the preparation of a report on the opium question, and (2) that this Committee shall be instructed to submit to the Assembly a proposal for the organisation of the work to be accomplished by the League of Nations, in this matter, having special regard to the provisions of the Opium Convention.

The first proposal has already been met by the establishment of the present Committee, which included representatives of all the Members of the League of Nations. The second is one which the Committee must now take up and discuss. I suggest that there are two alternatives. (a) That the work of supervising the execution of the International Opium Agreements be left entirely to the Council of the League with the assistance of its Secretariat, reports being made from time

to time to the Assembly. (b) It might be desirable to appoint a special commission representing the Members of the League most interested in opium matters, to assist the Council and the Secretariat in this matter. The principal States interested are, I suggest, Great Britain, France, the Netherlands, India, China, Japan and Siam. I do not consider it incumbent on me as reporter to express myself in favour of one or other of these alternatives. I leave that to the decision of the Committee.

We have of course to face the difficulty that the United States and Germany are not yet Members of the League, but it would surely be possible to move those Governments to forward to the League Secretariat the information which they would otherwise, by Article 21 of the Opium Convention, have to submit to the Netherlands Government. If they should take exception to this they could still address the Netherlands Government, which would in turn pass the information on to the League Secretariat.

(Signed) W. S. MEYER.

ANNEX 7.—*Report of Committee No. II. on Item 18 of the Agenda: "Passports for Members of the Secretariat of the League of Nations."*

Mr. President, Gentlemen,

The draft resolution which the Second Committee has the honour to present to you has been prepared by a sub-committee composed as follows:—France (M. Hanotaux, Chairman); British Empire (Mr. Barnes); Spain (M. Quiñones de León); Uruguay (M. Fernandez y Medina); Serb-Croat-Slovene State (M. Politch, Rapporteur). The resolution has been considered and adopted unanimously by the Second Committee, presided over by M. Jonsescu. The following is an account of the matter.

On the invitation of the Council of the League of Nations, the Secretary-General submitted to the Provisional Committee for Communications and Transit a memorandum on the question of the application of passport formalities to the officials of the League of Nations, with reference to the provisions of Article 7 of the Covenant of the League of Nations. This Article lays down that officials of the League of Nations shall enjoy diplomatic immunities and seems to imply that the officials of the League should hold passports of a diplomatic character.

The Secretary-General pointed out that the issue, in the usual form, of diplomatic passports by the various States to officials of the League is attended by serious disadvantages both of a practical and a general nature.

From a practical point of view, the necessity for officials of the League (who often have to undertake at short notice journeys to different countries, on special missions with which they are entrusted) to obtain a diplomatic visa on every occasion would have a detrimental effect upon the normal working of the Secretariat, and especially now, since the League of Nations has been installed at Geneva.

On the other hand, it would be contrary to the spirit of a purely international institution such as the Secretariat of the League of Nations, if the fact that these officials were entrusted with missions of an international character should imply the consent—in the form of passports—of the States to which the members belonged.

With this memorandum before them, the Conference on Passports, Customs Formalities and Through Tickets, decided at its meeting in October last to accept the conclusions of the Memorandum and to propose that the Secretary-General should be delegated by States Members of the League of Nations to issue special passports to members of the Secretariat and to officials of the League.

These passports would be valid without visa in the territory of all States belonging to the League. Powers other than States Members of the League would be requested to apply to these passports a diplomatic visa.

The Secretary-General of the League of Nations would be responsible for the issue of these passports to their holders and for their withdrawal as soon as the latter ceased to be entitled to them. Permanent passports would be issued by the Secretary-General to the permanent staff of the League, and the temporary staff of the Secretariat would receive passports valid only for the duration of their duties.

A list containing the names of the holders of passports issued or withdrawn would be periodically submitted by the Secretary-General to all the Governments.

The Secretariat-General, when issuing such passports, would take every kind of precaution with regard to the identity of their holders, in agreement with the authorities of the country to which the holder belonged, and also with the Swiss authorities.

The view of the Secretariat-General as well as of the Passport Conference may be definitely summed up as follows:—

Diplomatic passports valid without visa should be issued by the Secretary-General.

Your Committee considered that while there is no doubt that Article 7 of the Covenant grants to officials of the League the enjoyment of diplomatic privileges and immunities during the discharge of their duties, nevertheless the proposed formula, if it were not modified, would give rise to difficulties of a legal and practical nature.

From the legal point of view the issue of a passport is an administrative act, an act of sovereignty and authority. Now it is evident that the League of Nations is not a State possessing sovereignty of its own, as it is obvious that there can be no "national" of the Secretary-General.

On the other hand, it is not possible for States to delegate one of their rights of sovereignty to the Secretary-General by means of a resolution passed by the Assembly; this would necessitate a new international agreement, which would have to be submitted for ratification by Governments concerned.

For these reasons the Committee, though fully realising the importance of the practical considerations put forward by the Secretary-General, does not feel able to adopt his scheme; it proposes, however, that he should be authorised to furnish members of the Secretariat with identity cards, at sight of which the Government of which the holder is a national will issue a diplomatic passport, or cause it to be issued by any of its diplomatic representatives, or by its consular agent at Geneva. The period for which such a passport is valid will depend on the nature of the duties entrusted to each agent by the Secretary-General.

Seeing that diplomatic passports issued to diplomatic representatives require to be *visé*, the Committee considers it unavoidable that visas should be reintroduced for members of the Secretariat.

In view of these considerations, we venture to submit for your approval the following Resolution:—

The Assembly of the League of Nations, after having considered the draft Resolution regarding passports for members of the Secretariat and officials of the League of Nations.

After having heard the Report of the Rapporteur of the Commission, Dr. Ladislav Politch, delegate of the Kingdom of the Serbs, Croats and Slovenes,

has adopted the following Resolution:—

“The Secretary-General of the League of Nations shall deliver to members of the Secretariat and officials of the League an identity card certifying the identity of the holder and the nature of his official duties. On presentation of this card and at the request of the Secretary-General, the Government of which the holder is a national shall deliver or cause to be delivered by any of its diplomatic representatives or by its consular agent at Geneva, a diplomatic passport permitting the official to carry out the mission with which he is entrusted, with the benefit of all privileges and immunities provided for in Article 7 of the Covenant, and valid for the duration of such mission in the limits indicated by the Secretary-General.

“Diplomatic visas will be given gratuitously—Whenever necessary—on the request of the Secretary-General of the League of Nations by the diplomatic or consular agents of the Powers in whose territory the official will be travelling in accomplishment of his mission.”

(Signed) LADISLAV POLITCH, *Rapporteur*.

ANNEX 8.—*Report on the establishment of a Court of International Justice submitted to the Third Committee by Dr. Hagerup on behalf of the Sub-Committee.*

(Assembly Document 199.)

The Sub-Committee has devoted conscientious and detailed study to the draft scheme for an International Court of Justice and the different amendments proposed thereto.

It has the honour herewith to submit to the Committee the text which it proposes for the Committee's adoption.* It takes the liberty of accompanying the text with the explanations which follow, and to add the general remark that it has felt bound to make certain slight alterations in the English text to make it correspond as closely as possible with the French text. These alterations being purely in form and language, it does not seem necessary to enter into fuller explanations with regard to them.

The Sub-Committee further desires to make the following general observation: It has not dealt with the question, raised by the Italian Delegation, as to whether the draft should be accompanied by a preamble, for this is connected with the question of the form which the draft is to take (whether it is to be a Convention or whether it is to be simply adopted by the Assembly of the League of Nations).

Article 1 (text adopted by the Council at Brussels, Article 1).—The words “to which Parties shall have direct access” have been deleted, on the ground that, since the provisions of the draft scheme of The Hague with regard to the right of unilateral arraignment have been modified, they involve a certain ambiguity.

The proposal made by the Argentine Delegation to suppress the Permanent Court of Arbitration of The Hague was unanimously rejected by the Sub-Committee. It was thought that this Court would still have a *role* to fill in certain international disputes which lend themselves more easily to arbitral decision than to an award based on strict rules of law. Further, it was pointed out that the present scheme cannot abolish a Convention signed by several States which are not Members of the League of Nations.

Article 3 (Brussels Article 3).—The Sub-Committee has not adopted the Colombian amendment, which had already been urged before the Committee. Its purpose was to establish a distribution of judges between the different Continents in certain proportions. Such a rule was considered too rigid, and was deemed unnecessary in view of the provision in Article 9 which enables the same result to be obtained by a more flexible rule.

Articles 4 and 5 (Brussels Articles 4 and 5).—It was pointed out that the provisions in these Articles involve the difficulty that not all the Members of the League of Nations are signatories of the Conventions of The Hague relating to the Permanent Court of Arbitration, and consequently that some of them have no national groups in this Court. Several amendments were proposed to meet this difficulty. Some of them assigned to the Governments the right of nominating candidates, either generally or else in the case of those States which are not signatories of the Convention. The Sub-Committee has not adopted any of these amendments. It considered that the nomination

*Not reprinted: for final text see Appendix VI., Annex 1.

should be as far as possible independent of political considerations, and that the Governments which would have to vote on the candidates in the Council and Assembly should not have their hands tied in advance by the nomination of these candidates. Consequently the Sub-Committee decided upon the following solution :—

In countries which have no national groups on the Permanent Court of The Hague, the nomination shall be made by a body consisting of persons appointed for this purpose by their Governments under the same conditions as those presented for members of the said Court.

An Argentine amendment proposed increasing the number of candidates to five. As this question had been very fully discussed by the Jurists' Committee at The Hague, the Sub-Committee decided that it should not alter the solution adopted in the draft scheme.

Article 6 (Brussels Article 6).—There were certain doubts in the Sub-Committee as to the utility of retaining this Article. It was pointed out that in several countries it would be difficult, if not impossible, to comply with its provisions. On the other hand, the fact was emphasised that the question here was one of a mere recommendation which, if followed, would provide a kind of guarantee for the choice of the most competent persons. This being the case, the Sub-Committee thought it should not suppress the Article.

Article 8 (Brussels Article 8).—An Italian amendment proposed laying down the rule that elections in the Council and Assembly should take place simultaneously. The Sub-Committee did not adopt this amendment, which would make it impossible to establish the necessary contact between the two bodies in the election.

Article 9 (Brussels Article 9).—The Sub-Committee has replaced the words "veillent à ce que" by "auront en vue que" to effect a closer conformity between the French and English texts, the latter of which seems the more exact expression of the idea of the authors of the draft scheme.

Article 10 (Brussels Article 10).—On the proposal of the Canadian delegate, the Sub-Committee has altered the second paragraph of this Article to make it clear that it is essential for the proper application of this provision, not that the persons elected should be merely of the same nationality, but that they should be subjects of the same Member of the League of Nations.

Article 12 (Brussels Article 12).—On the suggestion of the British delegate, the Sub-Committee has slightly modified the wording of the third paragraph so as to empower the joint conference, in case a first attempt to reconcile the diverging opinions does not succeed, to proceed to repeated nominations of candidates until it becomes evident that it cannot arrive at any result.

On the other hand, the Sub-Committee thought that there was no sufficient reason for increasing the number of members of the Joint Conference to 10, as proposed by the British delegate, when the number of States permanently represented on the Council is increased in conformity with Article 4 of the Covenant.

Article 14 (Brussels Article 14).—A British amendment proposed the deletion of the last sentence of this Article. In support of this amendment, reference was made to the inconvenience of electing judges for a term which might be very short and to the possible difficulty of finding a competent candidate willing to accept election under these conditions. Mention was also made of the danger to the continuity of the work of the Court involved in a complete and simultaneous renewal of all the seats. On the other side, it was urged that the second sentence of Article 14 was intimately connected with the system designed in the draft to establish an equitable distribution of the seats between the different parts of the world. The Sub-Committee held that this last consideration was conclusive.

Article 16 (Brussels Article 16).—Both the form and principle of this Article were criticised. It was pointed out that the provision lacked clearness and that the English text, particularly, was difficult to understand and to apply. As for the principle, it was observed that the Article did not go far enough in determining cases of incompatibility.

The Italian delegate proposed a new paragraph for the Article, to the following effect :—

"The function of a member of Parliament shall not be considered as belonging to the political direction of States, within the meaning of this Article."

The Sub-Committee, while rejecting this amendment, was nevertheless unanimous in recognising that the exercise of the function of judge by members of a Parliament as in the House of Lords in England ("Law Lords") should not be incompatible with the duties of a member of the Court.

The Sub-Committee has adopted the following text :—

"Members of the Court may not hold any political or administrative office or post."

Article 18 (Brussels Article 18).—An Italian amendment proposed that for the dismissal of a judge unanimity on the part of the other judges should not be required, but merely a strong majority.

The Sub-Committee considered that unanimity alone was a sufficient guarantee against the possibility of undue influence upon a resolution of so grave a character as that in question.

The Sub-Committee has added to the second paragraph of the Article the words "by the Registrar," to avoid the implication that the President of the Court must personally give the notification required in this paragraph.

Article 19 (Brussels Article 19).—The Sub-Committee has given this Article a wording corresponding to that of Article 7 of the Covenant, where the question of the immunities of officials of the League of Nations is dealt with.

The Sub-Committee was of opinion that the question of the situation of judges in their own countries should not be prejudiced by the solution adopted.

Article 23 (Brussels Article 23).—With regard to the provisions in the first two paragraphs of this Article, the question was raised in the Sub-Committee whether a date should be fixed in the text for the commencement of the ordinary Session of the Court, or whether it was not better to leave to the President the duty of convening the Court on a suitable date. In this connection a proposal was made to delete the second paragraph and substitute for the first paragraph the following text :—

“An ordinary session, to be convoked by the President, shall be held every year.”

The Sub-Committee has thought fit to retain the original of the Article. It was thought that it would be of advantage to persons who might be nominated as judges, as well as to all those who might have recourse to this tribunal, to know in advance exactly when the ordinary sessions would commence.

The Swiss Delegate had proposed the following addition to the third paragraph :—

“Particularly when a dispute is submitted to it under Article 12 of the Covenant.”

The Sub-Committee considered that the words “whenever necessary” have sufficient scope to cover any hypothesis.

Article 24 (Brussels Article 24).—In the first paragraph the Sub-Committee has substituted the words “should not” for “cannot” in order to make it clear that the circumstances contemplated are not merely such as render it impossible for a judge to perform his duties, but such as impose on him a moral duty to retire.

Article 25 (Brussels Article 25).—An Italian amendment proposed adding to this Article the following provisions :—

“The quorum of nine, however, is sufficient to constitute the Court, without prejudice to the right of each party to demand that the argument and decision of the case shall be deferred until 11 judges are present.”

The Sub-Committee preferred not to give the parties this influence on the composition of the Court.

Article 26 (British amendments Article 26 bis).—Apart from international disputes which may, in a general way, arise out of Labour questions, the Treaty of Versailles, Articles 416, 418 and 423, specifically provides that the Permanent Court of Justice shall have jurisdiction to deal with certain disputes which may occur in connection with the performance of duties imposed by the International Labour Conventions; there are similar provisions in other Treaties of Peace. These disputes may present features which are not of an exclusively legal character; and in order to provide a guarantee that the Court shall be able to adjudicate in the cases with full knowledge of all the various factors which must be taken into account, and at the same time to gain for the Court the full confidence of the peoples, it has been thought desirable to take special measures with regard to these cases. M. Albert Thomas, Director of the International Labour Office, has proposed adding, for the settlement of these questions, to the regular judges of the Court, judges chosen from amongst persons of known competence in Labour legislation and social questions. The Sub-Committee has not thought it possible to go so far. It has considered that it would be sufficient, to attain the desired end, to give these experts, as suggested in a British proposal, the character of assessors, who shall take their place beside the judges and deliberate with them in an advisory capacity, but without taking part in the decision itself. This solution, moreover, is in conformity with a proposal made by M. Albert Thomas in a letter dated 20th February 1920, addressed to the Secretary-General of the League of Nations.

With regard to the choice of these assessors, it must be borne in mind that in the different questions which may be submitted to the Court by virtue of the Treaties mentioned above, the special competence required may not always be of the same character. When it is necessary to decide what sanction must be provided for the Convention in relation to a State which has not performed its duty, the expert required by the Court will, in the first place, be a person with financial or economic knowledge, whereas in considering questions relating particularly to Labour it will be advisable to have the points of view of the employers as well as of the workmen explained in the Court. The Sub-Committee has tried to take these considerations into account in the text which it now submits.

Both the British proposal and that of M. Thomas set up a special Chamber of the Court for these cases, consisting of a smaller number of ordinary judges than that provided in Article 25 of the draft. These judges will be appointed for three years, in order to ensure that they will acquire special competence in the questions concerned, and that the jurisprudence of the Court may with a greater amount of certainty maintain continuity.

As, however, some members of the Committee pointed out with considerable emphasis that it would be more difficult to realise the principles laid down in Article 9 of the draft when the number of judges taking part in a decision is considerably reduced, the Sub-Committee has given the Chamber power to adjudicate only on the request of the parties. In the absence of such request, the Court will sit with the ordinary number of judges. But in any case, the judges will be assisted by assessors in conformity with the rules explained above.

Article 27 (British amendments Article 26 ter).—Similar considerations to those appealed to in connection with the rules of Article 26 also apply in cases relating to Transit and Communications, particularly in the questions mentioned in Part 12 (Ports, Waterways, Railways) of the Treaty of Versailles, and the corresponding parts of the other Peace Treaties. In these matters as well, the questions which the Court will have to decide will generally be of a very technical character, which may make co-operation with experts highly desirable. For these reasons, the Sub-Committee has felt bound to adopt a British proposal to lay down for these cases rules analogous to those of Article 26.

Article 28 (British amendments Article 26 *quarter*).—In certain cases it may be an advantage to give the Court the power of meeting in a place other than The Hague for the settlement of the questions mentioned in Article 26 and Article 27. In proposing to give the Court this power, the Sub-Committee assumes that the Court may make it incumbent upon the parties to defray the expenses of such a measure.

Article 30 (Brussels Article 27).—The Sub-Committee considered superfluous the words "governing the conditions under which the Vice-President shall take up his duties." It has, therefore, deleted these words. In the Committee's opinion it goes without saying that the Court will have power to lay down in its rules of procedure that a Vice-President, for example, whose domicile is too distant to permit his being summoned at short notice to fulfil his duties, must live at the seat of the Court.

Article 31 (Brussels Article 28).—To conform with the changes made in Articles 4 and 5, the Sub-Committee has replaced in the second paragraph the words "by some national group in the Court of Arbitration" with the words "as provided in Articles 4 and 5."

On the suggestion of the Italian delegate, the Sub-Committee proposes to add to the fourth paragraph the words "any doubt on this point shall be settled by the decision of the Court."

An Italian amendment had proposed adding the following phrase to the last paragraph: "They shall not, however, be included in the quorum of nine, or of eleven judges, stipulated in Article 25."

In the Sub-Committee's opinion this went without saying.

Article 32 (Brussels Article 29).—In conformity with the draft scheme drawn up by the Jurists' Committee at The Hague, the Sub-Committee has added a paragraph providing a regulation for the pensions of the personnel of the Court, without, however, making any pronouncement upon the question as to whether a right to such pensions should be granted.

Article 34 (Brussels Article 31).—This Article establishes rules for the competence of the Court *ratione personae*. It lays down that the Court shall have jurisdiction to hear and determine suits between States. It consequently excludes private individuals from presenting themselves before the Court. While retaining this rule, the Sub-Committee has considered that it would be expedient to express it in clearer form and to assimilate the position of all the Members of the League of Nations to that of States.

The Sub-Committee unanimously recognises the right of States to present themselves as joint parties before the Court.

Article 35 (Brussels Article 32).—The wording of this Article seemed lacking in clearness, and the Sub-Committee has recast it in an effort to express clearly what follows:—

(1) To the Members of the League of Nations and the States mentioned in the Annex to the Covenant the Court is open. The expression "Member of the League of Nations" includes those who subsequently enter the League as well as the present Members.

(2) The access of other States to the Court will depend either on the special provisions of the Treaties in force (for example, the provisions of the Treaties of Peace concerning the right of minorities, labour, etc.), or else on a resolution of the Council. Such resolution may lay down conditions of access in conformity with Article 17 of the Covenant, but in no case must these conditions result in any inequality of the parties before the Court.

Articles 36 and 37 (Brussels Articles 33 and 34).—The Sub-Committee has had before it several amendments tending to extend more or less the sphere of compulsory jurisdiction and the right of the parties to proceed by way of unilateral arraignment. The Sub-Committee has decided that it could not adopt these amendments, and that it should rather retain the principles enunciated on this point in the Council's draft. Whatever differences of opinion there may be on the interpretation of the Covenant with regard to the acceptance of a compulsory jurisdiction within the scope of its provisions, and upon the political expediency of adopting an unconditionally compulsory jurisdiction in international relations, the Sub-Committee was unable to go beyond the consideration that unanimity on the part of the Members of the League of Nations is necessary for the establishment of the Court, and that it does not seem possible to arrive at unanimity except on the basis of the principles laid down in the Council's draft.

With regard to the terms in which the Council has formulated these principles, the Sub-Committee considered that the rule governing the jurisdiction of the Court would gain by a slightly different expression. The text adopted by the Sub-Committee aims at formulating as clearly as possible the following ideas:—

(1) The jurisdiction of the Court is in principle based upon an agreement between the parties. This agreement may be in the form of a special Convention submitting a given case to the Court, or of a Treaty or general Convention embracing a group of matters of a certain nature.

(2) With regard to the right of unilateral arraignment contemplated in the words ("and this without any special agreement giving it jurisdiction") in the Council's draft, the Sub-Committee, by deleting these words, has not changed the meaning of the draft. In conformity with the Council's proposal, the text prepared by the Sub-Committee admits this right only when it is based on an agreement between the parties. In the Sub-Committee's opinion, the question must be settled in the following manner:—If a Convention establishes, without any reservation, obligatory jurisdiction for certain cases or for certain questions (as is done in certain general arbitration treaties and in certain clauses of the Treaties of Peace dealing with the rights of minorities, labour, etc.) each of the parties has, by virtue of such a treaty, the right to have recourse without special agreement (*compromis*) to the tribunal agreed upon. On the other hand, if the general Convention is subject to certain reservations ("vital interests," "independence," "honour," etc.), the question, whether any of these are involved in the terms of the Treaty, being for the parties themselves to decide, the parties cannot have recourse to the International Tribunal without a preliminary agreement (*compromis*).

(3) Finally, the Sub-Committee thought that it should establish the rule that when a treaty or a convention provides for reference to a tribunal to be established by the League of Nations, the Court established by the present draft shall be that tribunal. This provision will have a practical application, particularly in the cases mentioned in the Treaties of Peace for submission to an International Tribunal. It does not include existing conventions which refer certain disputes either to a Court of Arbitration generally or to the Permanent Court of Arbitration of The Hague. To substitute the new Court of International Justice for these Courts of Arbitration would require a special agreement.

Article 38 (Brussels Article 35).—An Argentine amendment proposed a new text for this Article, intended, among other things, to limit the power of the Court to attribute the character of precedents to judicial decisions.

The Sub-Committee has not adopted this amendment. On the contrary, it considered that it would be one of the Court's important tasks to contribute, through its jurisprudence, to the development of international law.

The Sub-Committee has, however, made the following changes in the Article :—(1) At the beginning of the Article it has deleted as unnecessary the words "within the limit of its jurisdiction as defined above," also the words "in the order following." (2) At the end of No. 3 it has added a new clause in order to give a more flexible character to this provision and to permit the Court, if necessary, and with the consent of the parties, to make an award *ex aequo et bono*.

(Brussels Article 36).—Article 14 of the Covenant provides that the Assembly and the Council may ask the Court for advisory opinions. The Sub-Committee considers that these opinions should, in every case, be given with the same quorum of judges as that required for the decision of disputes, and that there is no need to maintain the distinction established in this respect by the draft scheme between the cases where a question submitted to the Court is the subject of a dispute which has actually arisen, and where there is no existing dispute. This distinction seemed lacking in clearness and likely to give rise to practical difficulties.

The Sub-Committee was further of the opinion that the draft here entered into details which concerned rather the rules of procedure of the Court.

Accordingly, the Sub-Committee proposes that this Article should be suppressed.

Certain proposals to give either to the Government or to the International Labour Office the right of asking the Court for advisory opinions have not been adopted by the Sub-Committee, which considers that such provisions would involve a considerable extension of the duties of the members of the Court and might lead to consequences difficult to calculate in advance.

(Brussels Article 36 bis).—The Sub-Committee was of opinion that it should suppress this Article, which had been proposed by the Secrétariat-General as a result of the changes made by the Council in the text of The Hague. The Sub-Committee did not consider that there was any necessary relation between the new rules laid down in the Council's draft as to the jurisdiction of the Court and the rules of procedure proposed in this Article. In its opinion the procedure to be followed before the Court should be the same in every case, without any distinction between the different grounds of its jurisdiction (special Convention of the Parties or pre-existing obligation under a Treaty) but without prejudice to the right of the parties to modify the procedure in so far as it depends upon the rights which they may renounce.

Article 39 (Brussels Article 37).—A Spanish amendment proposed adding to the last paragraph of this Article the following clause :—

"This authorisation cannot be refused when it is requested by all the parties to the dispute."

The Sub-Committee has not adopted this amendment. It considered that such a rule might give rise to difficulties for the judges, by imposing on them the necessity either of knowing several languages or of having the pleadings translated by interpreters.

Article 40 (Brussels Article 38).—The Sub-Committee has slightly modified the wording of this Article without changing its principle.

Article 42 (Brussels Article 40).—On the proposal of the British delegation the Sub-Committee has made a slight change in the wording of this Article. On the other hand, it was unable to adopt the Argentine amendment, which was to the following effect :—

"The Parties shall be represented by Agents."

"They may have Counsel or Advocates to represent them or to plead before the Court."

Only the Agents can represent the Parties, but they may at the same time fill the role of Advocates.

Article 43 (Brussels Articles 41, 42 and 43, 1st paragraph).—On the suggestion of the Italian delegate the Sub-Committee has combined 41, 42 and the first paragraph of 43 (Brussels text) in a single Article, because a clearer arrangement of the connected matters treated therein is thus obtained, the first paragraph of 43 (Brussels text) having no relation to the other provisions in that Article.

Article 46 (Brussels Article 45).—The question of the publicity of the sessions of the Court was exhaustively discussed by the Sub-Committee. On the one hand it was maintained that it was not possible to apply in their entirety, to disputes between States, the principles accepted in national Courts. Publicity, or even the decision of the Court in a particular case to hold a private session, might in international disputes give rise to undesirable incidents, and exercise a regrettable influence upon the work of the Court. For this reason it had been proposed either that non-publicity should be the rule, or else that the text should leave to the Court complete liberty in deciding the

question whether the session was to be public. On the other hand it was pointed out that the principle of the publicity of judicial discussion was of capital importance in winning for the Court and its judges the confidence of the public, and that non-publicity should always be an exception. The last opinion prevailed in the Sub-Committee, which has, however, left to the Court the power of holding a private session, either when it considers that there are reasons for so doing, or when both parties request it.

Article 51 (Brussels Article 50).—The Committee has studied the question whether Agents, Advocates, and Counsel should have the right to put questions directly to the witnesses and experts, or whether this should always be done through the President. It was decided to leave it to the Court to settle this question in its rules of procedure.

Article 53 (Brussels Article 52).—In the second paragraph the Sub-Committee has deleted as unnecessary the words "supported by substantial evidence."

Article 57 (Brussels Article 56).—There was an exchange of views in the Sub-Committee on the provision proposed by the Council with regard to the right of dissenting members of the Court to have their individual opinions published. Though several members would have preferred not to grant such a right, the Sub-Committee decided not to depart from the Council's proposal, which is strongly advocated especially by the Anglo-Saxon jurists. The reasons upon which the proposal is based are shown in the Council's report.

Article 61 (Brussels Article 59).—An Argentine amendment proposed dispensing with any limitation of the period for the application for revision. Because of the difficulties which might result from a revision taking place at a time when a certain situation, based on the judgment of the Court, had become established and had existed for many years, the Sub-Committee was unable to adopt this proposal.

The Sub-Committee has, however, made two changes in this Article :—

1. Extension of the absolute period of limitation from 5 to 10 years.
2. Introduction of a very short period (six months) for the right of making an application for revision after the discovery of the new fact.

Article 62 (Brussels Article 60).—An Italian amendment also proposed giving the International Labour Office, as well as other international institutions of similar character, the power of intervention in cases before the Court. The Sub-Committee considers that such a power would be contrary to the terms of Article 34, which lays down that only States may be parties before the Court.

Article 64 (Brussels Article 62).—The Sub-Committee unanimously recognises that the terms of this Article do not prevent division of the costs between the parties in accordance with an agreement between them.

• An Argentine amendment proposed adding to the draft scheme a new Article in the following terms :—

"The final award of the Court shall be binding upon the contesting States. Any State which refuses to comply with the final award of the Court shall be excluded from the League of Nations. If the failure to carry out the decision is of a nature capable of disturbing the peace of the world, the Assembly and the Council shall have the power to take the measures provided."

The Sub-Committee has not thought fit to adopt this proposal, which would appear to contain an amendment or addition to the Covenant.

It was also proposed to add a clause expressly applying to the decisions of the Court the sanctions provided in Article 13 of the Covenant, as has already been done in Article 89 of the Treaty of St. Germain and the analogous provisions contained in the treaties relating to the position of minorities. The Sub-Committee considers such a clause superfluous in view of the provisions in the Covenant and the above-mentioned treaties.

ANNEX 9.—*Report of Committee No. III. on the establishment of a Court of International Justice.*

(Assembly Document 216.)

The Assembly of the League of Nations referred to the Third Committee the draft schemes for an International Court of Justice and the amendments proposed thereto by the various Governments, and by certain members of the Assembly. The Committee appointed a Sub-Committee of 10 members, five of whom had formed part of the Jurists' Committee at The Hague. The Sub-Committee submitted to the Committee the report and the draft attached thereto (*see* Assembly Document No. 199). Both report and text have been unanimously adopted by the Committee, with the following modifications :—

Article 5.—In the first paragraph the Committee has introduced a provision to the effect that the nomination of candidates must be carried out within a given time.

The Committee has increased the number of candidates who may be nominated in order to give the different groups a larger opportunity to propose candidates of universally known competence, but of a nationality other than that of the nominating group. In no case, however, can more candidates be nominated than double the number of seats to be filled. If, for example, there is only one seat, the number of candidates to be nominated will be two.

Articles 16 and 17.—The Committee considered that it would be an excessive measure to apply the provisions of these Articles as a whole to the deputy judges. It has therefore introduced special rules for the deputy judges.

Article 26.—After hearing the Director of the International Labour Office, the Committee has added to this Article a provision empowering the Director to furnish the Council with all necessary information; for this purpose, the Director will receive copies of all written documents of procedure.

Article 36.—On the motion of the Brazilian delegate, the Committee has added a new paragraph to this Article, empowering States and Members of the League of Nations who may be willing to accept compulsory jurisdiction in a larger measure than provided for in the first paragraph of the Article, to make declarations on this subject either at the time of ratification or at a later moment.

The effect of this provision is as follows: It gives power to choose compulsory jurisdiction either in all the questions enumerated in the Article or only in certain of these questions. Further, it makes it possible to specify the States (or Members of the League of Nations) in relation to which each Government is willing to agree to a more extended jurisdiction.

Article 41.—The Committee has slightly altered this Article in such a way as to make it cover omissions which infringe a right, as well as positive acts.

The question as to the form in which the Statute of the Permanent Court of Justice should be adopted was the subject of long discussions and of detailed study both in the Sub-Committee and in the Committee.

On the one hand, it was insisted that a Convention or Protocol signed by the Governments and submitted for ratification would be necessary.

On the other hand, it was pointed out with much force that it would considerably weaken the authority of the Assembly and establish a harmful precedent if a unanimous resolution of the Assembly had to be submitted to the Governments for further approval.

The Committee finally agreed that, in view of the special nature of the terms of Article 14 of the Covenant with regard to the Constitution of the Permanent Court of Justice, it would be possible to submit that Constitution to the Governments for approval without establishing a precedent for other resolutions of the Assembly.

The Committee thinks it may assume that the unanimous adoption of the draft-scheme will be followed, within a short time, by ratification on the part of all the Members of the League of Nations, so that the elections necessary for the establishment of the Court may take place at the next meeting of the Assembly.

ARTICLES 5, 16, 17, 26, 36, and 41 as amended by the Third Committee on 10th December 1920.

Article 5 (Brussels Article 5).—At least three months before the date of the election, the Secretary-General of the League of Nations shall address a written request to the members of the Court of Arbitration belonging to the States mentioned in the Annex to the Covenant or to the States which join the League subsequently, and to the persons appointed under para. 2 of Article 4, inviting them to undertake, within a given time, by national groups, the nomination of persons in a position to accept the duties of a member of the Court.

No group may nominate more than four persons, not more than two of whom shall be of their own nationality. In no case must the number of candidates nominated be more than double the number of seats to be filled.

Article 16 (Brussels Article 16).—The ordinary members of the Court may not exercise any political or administrative function. This provision does not apply to the deputy judges except when performing their duties on the Court.

Any doubt on this point is settled by the decision of the Court.

Article 17 (Brussels Article 17).—No Member of the Court can act as Agent, Counsel, or Advocate in any case of an international nature. This provision only applies to the deputy judges as regards cases in which they are called upon to exercise their functions on the Court.

No member may participate in the decision of any case in which he has provisionally taken an active part as Agent, Counsel, or Advocate for one of the contesting parties or as a Member of a national or international Court, or of a Commission of enquiry, or in any other capacity.

Any doubt on this point is settled by the decision of the Court.

Article 26 (British amendments, Article 26 bis).—Labour cases, particularly cases referred to in Part XIII. (Labour) of the Treaty of Versailles and the corresponding portions of the Treaty of Peace, shall be heard and determined by the Court under the following conditions:—

The Court will appoint every three years a special Chamber of five judges, selected so far as possible with due regard to the provisions of Article 9. In addition, two judges shall be selected for the purpose of replacing a judge who finds it impossible to sit. If the parties so demand, cases will be heard and determined by this Chamber. In the absence of any such demand the Court will sit with the number of judges provided for in Article 25. On all occasions the judges will be assisted by four technical assessors sitting with them but without the right to vote, and chosen with a view to ensuring a just representation of the competing interests.

If there is a national of one only of the parties sitting as a judge in the Chamber referred to in the preceding paragraph, the President will invite one of the other judges to retire in favour of a judge chosen by the other party in accordance with Article 31.

The technical assessors shall be chosen for each particular case in accordance with Rules of Procedure under Article 30 from a list of "Assessors for Labour Cases" composed of two persons nominated by each Member of the League of Nations and an equivalent number nominated by the Governing Body of the Labour Office. The Governing Body will nominate, as to one half, representatives of the workers, and as to one half, representatives of employers from the list referred to in Article 412 of the Treaty of Versailles and the corresponding Articles of the other Treaties of Peace.

In Labour cases the International Labour Office shall be at liberty to furnish the Court with all relevant information, and for this purpose the Director of that Office shall receive copies of all the written proceedings.

Article 36 (Brussels Article 33).—The jurisdiction of the Court comprises all cases which the parties refer to it and all matters specially provided for in Treaties and Conventions in force.

The Members of the League of Nations and the States mentioned in the Annex to the Covenant may, either when signing or ratifying the protocol, to which the present Statute is adjoined, or at a later moment, declare that they 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 all or any of the classes of legal disputes concerning :—

- (a) The interpretation of a Treaty.
- (b) Any question of International Law.
- (c) The existence of any fact which, if established, would constitute a breach of an international obligation.
- (d) The nature or extent of the reparation to be made for the breach of an international obligation.

The declaration referred to above may be made unconditionally or on condition of reciprocity on the part of several or certain Members or States, or for a certain time.

In the event of a dispute as to whether the Court has jurisdiction, the matter shall be settled by the decision of the Court.

Article 41 (Brussels Article 39).—The Court shall have the power to indicate, if it considers that circumstances so require, any provisional measures which ought to be taken to reserve the respective rights of either party.

Pending the final decision, notice of the measures suggested shall forthwith be given to the parties and the Council.

DRAFT RESOLUTION.

1. The Assembly unanimously declares its approval of the draft Statute of the Permanent Court of International Justice—as amended by the Assembly—which was prepared by the Council under Article 14 of the Covenant and submitted to the Assembly for its approval.

2. In view of the special wording of Article 14 the Statute of the Court shall be submitted within the shortest possible time to the Members of the League of Nations for adoption in the form of a protocol duly ratified and declaring their recognition of this Statute. It shall be the duty of the Council to submit the Statute to the Members.

3. As soon as this protocol has been ratified by the majority of the Members of the League, the Statute of the Court shall come into force and the Court shall be called upon to sit in conformity with the said Statute in all disputes between the Members or States which have ratified, as well as between the other States, to which the Court is open under Article 35, para. 2, of the said Statute.

4. The said protocol shall likewise remain open for signature by the States mentioned in the Annex to the Covenant.

ANNEX 10.—*Court of International Justice. Report of Committee No. III. on Salaries of Members.*

(Assembly Document 248.)

The fixing of the salaries of members of the Permanent Court of International Justice was referred by the Council to the Third Committee. After detailed discussion, the following principles have been approved. They are based on Article 32 of the Statute :—

“The judges shall receive an annual indemnity to be determined by the Assembly of the League of Nations upon the proposal of the Council. This indemnity must not be decreased during the period of a judge's appointment.”

“The President shall receive a special grant for his period of office, to be fixed in the same way.”

“The Vice-President, judges and deputy judges shall receive a grant for the actual performance of their duties, to be fixed in the same way.”

“Travelling expenses incurred in the performance of their duties shall be refunded to judges and deputy judges who do not reside at the seat of the Court.”

“Grants due to judges selected or chosen as provided in Article 31 shall be determined in the same way.”

“The salary of the Registrar shall be decided by the Council upon the proposal of the Court.”

“The Assembly of the League of Nations shall lay down, on the proposal of the Council, a special regulation fixing the conditions under which retiring pensions may be given to the personnel of the Court.”

The Committee was of opinion that the annual remuneration of all ordinary judges should be fixed at a minimum of fifteen thousand (15,000) Dutch florins. The special annual allowance assigned to the President was fixed at 45,000 florins, which brings his total remuneration to 60,000 florins a year.

As the other members of the Court are not obliged to live at the seat of the Court throughout the whole year, it was considered that the allowance assigned to them should be proportional to the length of time they should spend at the seat of the Court. In the consideration of this allowance two points of view were advanced: they were fixed partly on the basis of the period of duty, and partly according to the length of residence at The Hague.

The allowance per day for the period of duty has consequently been fixed for each ordinary judge at 100 florins and for the Vice-President at 150 florins. As for the deputy judges, it was considered that a larger-duty-allowance should be granted them. The ordinary judges receive an annual salary of 15,000 florins, and it must be taken into consideration that the deputy judges must hold themselves at the disposal of the Court and may be called upon to undertake a more or less unforeseen journey and to abandon their profession or the post which they hold in their country of origin. As they receive no annual salary, it seems just to compensate them by raising their daily allowance to 150 florins.

The subsistence allowance has been fixed for all the members of the Court, except the President, who has a different fixed allowance, at 50 florins per day.

The maximum compensation for the different members of the Court would, calculating the days of session in each year at 200 (Sundays and vacations deducted), amount to 30,000 florins for the Vice-President, 20,000 for ordinary judges and 30,000 for deputy judges.

To ensure an equal position for all the members of the Court of International Justice, by neutralising the different degrees in which their salaries might be affected by taxation in the various countries, the Committee proposes, that all salaries and allowances are to be free of taxation. As, however, the decisions of the Assembly might be inoperative as against the fiscal laws applied in the different countries, it has been proposed that the League of Nations should reimburse the members of the Court for any taxes which they may have been obliged to pay.

With regard to travelling expenses, the Committee is of opinion that the expenses of moving the near relatives of members of the Court should be defrayed by the League of Nations.

Finally, the payment of salaries and allowances and the reimbursement for expenses shall take place on the basis of accounts approved by the President.

The table attached to the resolution set out below will give a clear idea of the remuneration allotted to each class of member of the Court.

DRAFT RESOLUTION.

The Assembly of the League of Nations, in conformity with the provision of Article 32 of the Statute, fixes the salaries and allowances of members of the Permanent Court of International Justice as follows:—

<i>President :</i>		Dutch florins.
Annual salary	.. .. .	15,000
Special allowance	.. .. .	45,000
	Total	<u>60,000</u>
<i>Vice-President :</i>		
Annual salary	.. .. .	15,000
Duty allowance (200 × 150)	.. .. .	30,000 (maximum)
	Total	<u>45,000</u>
<i>Ordinary Judges :</i>		
Annual salary	.. .. .	15,000
Duty allowance (200 × 100)	.. .. .	20,000 (maximum)
	Total	<u>35,000</u>
<i>Deputy Judges :</i>		
Duty allowance (200 × 150)	.. .. .	<u>30,000 (maximum)</u>

Duty allowances are payable from the day of departure until the return of the beneficiary.

An additional allowance of 50 florins per day is assigned for each day of actual presence at The Hague to the Vice-President and to the ordinary and deputy judges.

Allowances and salaries are free of all tax.

ANNEX 11.—*Report on Staff and Organisation of the Secretariat by Sir James Allen, on behalf of Committee No. IV.*

(Assembly Document 229.)

The Committee approves the action of the Council and of the Secretary-General with regard to the staff and organisation of the Secretariat as indicated in Assembly Document No. 32, but makes the following recommendations:—

1. That all members of the Secretariat appointed for a period of five years by the Secretary-General shall, in the case of dismissal, have the right of appeal to the Council.

2. That a list of the staff, showing nationalities and salaries and allowances by classes, be published half-yearly, with the addition to the first and second issues of a list containing an account of the previous services of certain of the higher officials; and that a further list be prepared and attached to the annual budget, showing the nationality, salary and allowances of each individual member of the staff, and containing a schedule showing the travelling allowances for each class with the amounts paid.

3. That information regarding vacancies on the staff of the League be made as public as possible and that, in filling the various posts, whilst having special regard for efficiency, at the same time consideration be given to the international character of the League.

4. That the staff of the Secretariat be renewed at the termination of each five-yearly period, due regard being given to the retention of sufficient officers to enable the work of the League to be effectively maintained.

(Signed) J. ALLEN,
Delegate for New Zealand.

13th December 1920.

ANNEX 12.—*General Report by Sir George Foster, First Delegate of Canada, and Jhr. van Eysinga, Delegate (Substitute) of the Netherlands, on behalf of Committee No. IV., on the First and Second Budgets of the League, covering the period to 31st December 1920, on the Provisional Estimates for the 1921 Budget, and on the future Method of Apportionment of the Expenses of the League.*

Mr. President, Gentlemen,

In distributing the work allotted to the different Committees, the Assembly has entrusted to Committee No. 4, *inter alia*, the examination of:—

Item No. 23: the first and second budgets of the League, covering the period to 31st December 1920;

Item No. 24: the Provisional estimates for the 1921 budget;

Item No. 25: the future method of apportioning the expenses of the League.

The Committee that was formed under the chairmanship of M. Quinones de Léon, Spanish Delegate, and Dr. Restrepo, Colombian Delegate, as Deputy Chairman, has nominated Sir George Foster, Canadian Delegate, as first *rapporteur*, and Jhr. van Eysinga, Delegate (substitute) of the Netherlands, as second *rapporteur* on the above-named questions.

As regards the items 23-25 of the agenda, the Fourth Committee had to deal with a rather considerable number of questions; as a matter of fact all the work of the League of Nations regarded from the financial point of view came under consideration. The Committee herewith submits its report covering the three budgets, the financial administration and control of the League for the future, and the efficiency of the internal services of the League. The *rapporteurs* have tried to give you as concise and short an explanation as possible of the resolutions and the recommendations which the Committee propose for your adoption.

Para. 1.—First and Second Budgets.

The Council of the League of Nations, on the report presented by M. Quinones de Léon at its session of 19th May 1920, held in Rome, approved the budget estimates submitted by the Secretary-General for the organisation period considered as ending on 31st March 1920, and for the period from 1st April 1920 to date of payment of the next contributions on 30th June of the same year.

The British Comptroller and Auditor-General was called upon by the Council to audit the accounts for the first period. This audit was approved by the Council at its session at San Sebastian on 5th August 1920. The Secretary-General submitted a memorandum (Document No. 20-31-81), which drew attention to the fact that the Council had decided to extend the first period until 30th June 1920, and that therein are included the accounts of the organisation period up to 30th June 1920, audited by the aforesaid British official. These accounts, amounting to 291,078*l.* 15*s.* 10*d.*, show a balance carried forward of 114,271*l.* 11*s.* 8*d.* This audit was adopted by the Council at the Brussels session in October 1920.

At the San Sebastian session on 5th August 1920, and on the report of the aforesaid officer, the Council approved the budget for the second fiscal period between 1st July 1920 and 31st December 1920. This budget amounted to 10,000,000 gold francs.

It would appear therefore that the Committee might approve these two budgets. The first fiscal period came to an end long ago and the accounts in connection therewith have already been audited; the second fiscal period will soon be terminated, and we therefore do not think that the Committee could with advantage make a full study of these two budgets. We desire, however, to make two observations thereon which may be useful for the future.

Attention should first be drawn to the fact that the balance remaining over from the budgets of the organisation period has not been carried forward and incorporated in the budget for the second period. According to information given by the Secretary-General, this balance was earmarked (without any previous approval) as the first contribution of the Members of the League towards a working capital fund, which at a later date the Secretary-General proposed to set up. For reasons of practical bookkeeping it is desirable that this reserve should be shown in the budget submitted by the Secretary-General. The Secretary-General should submit regularly as an annex to each budget a list of payments and receipts on account of this working capital fund and a statement as to how this has been utilised.

In the second place it should be noted that it is absolutely necessary to separate the different budgetary periods as fully as possible. In the budget for the supplementary organisation period covering the months of April, May, and June 1920, the sum of 25,000l. appears for the International Labour Office. According to information given by the Secretary-General, this amount is only part of the sum to which the Labour Organisation was entitled. However, owing to lack of funds, the Secretary-General was compelled to come to an arrangement with the Director of the Labour Office, and the latter, for the time being, had to be content with a sum smaller than that to which the Labour Office was entitled, on condition that the office should, within the second fiscal period, receive an amount correspondingly in excess of that to which it then should be entitled. No objection will be raised to such an arrangement in case of absolute necessity, but this should in no way modify the amount due to the Labour Organisation in the budgets for one or other of the fiscal periods.

Para. 2.—Budget for the year 1921.

The draft budget for the year 1921 was approved by the Council of the League of Nations at the Brussels session on 27th October 1920, and was submitted to the Assembly with full explanations. The Committee proposes its adoption save for the following remarks:—

(1) The budget should include not only the expenditure but also the income; the contributions of the States Members of the League towards the upkeep of the organisation proper should be kept distinct from the contributions towards the capital and working capital accounts. The headings of the final budget would thus be as follows:—

	Gold francs.
<i>Expenditure:</i>	
I. Direct expenditure	6,565,000
II. Indirect expenditure	3,535,000
III. Capital account	2,000,000
IV. Balance (to form a special working capital fund)	1,890,000
V. Labour Organisation	7,010,000
	21,000,000
<i>Receipts:</i>	
I. Contributions towards ordinary upkeep	10,100,000
II. Ordinary contributions towards upkeep of the Labour Organisation	7,010,000
III. Contributions to capital account	2,000,000
IV. Contributions for working capital fund	1,890,000
	21,000,000

This budget should be called the main budget. Supplementary estimates, necessitated by decisions of the Assembly, are incorporated therein. These supplementary estimates are explained in the "Explanations as to the difference between the Council budget for 1921 and the budget proposed by the rapporteurs" (Document No. 20-64-40).

(2) Under Article 399 of the Treaty of Versailles and similar stipulations of the other Treaties of Peace, the expenses of the Labour Organisation which are not borne by the States Members of the League, are to be paid from the general budget of the League. It follows that the bodies which authorise the budget of the League are thereby called upon to decide the amount to be allocated to the Labour Organisation.

It should be noted that the draft budget mentions only the expenditure of the International Labour Office, whereas it applies to the whole organisation. Owing to circumstances fully explained to the Committee by M. Thomas, the estimates of the Labour Organisation were necessarily general and approximative. (Para. 3 deals with this question as regards future budgets.)

(3) The items of the different chapters of the budget should be numbered consecutively.

(4) Item 11 of the Direct Expenditure of the Secretariat includes a sum of 50,000 gold francs for unforeseen expenses. This item is meant to include all ordinary unforeseen expenditures, and no similar items should appear elsewhere in the same chapter of the estimate. In item 4 b, however, we find 5,580 gold francs for unforeseen expenditure (*vide* detailed explanation, page 5). This item should be deleted and the sum of 5,580 gold francs added under item 11.

(5) Further items should be included in chapters I. and V. to provide for expenses for the Committee of experts [*vide* para. 2 under (9)] as well as for the expenses of control of the finances of the League (*vide* para. 5).

(6) At its 10th session the Council decided that the Finance Committee of the Assembly should be asked to examine again the question of the interest which the League of Nations pays for money which has to be borrowed in cases where the States Members of the League have not paid their contributions in time for the League to make its payments without borrowing. On the one hand it is not reasonable that this charge should fall on the Members having already paid their contributions as well as on those Members who have not paid. On the other other hand it is extremely difficult to decide from what date interest should run, as the budgets of the different countries are passed at different times of the year. In the circumstances it appears difficult to alter the present conditions under which all Members bear the cost of interest caused by a few who are dilatory in their payments.

The Assembly should make a recommendation to all Governments asking them to take the necessary measures to ensure their contributions being paid at the earliest possible date. Each Government should in any case inform the Secretary-General on 1st January 1921 at what date he may expect payment to be made. For this purpose a supplementary budget estimate in each of the countries would be of great assistance.

(7) Chapter II. also contains a special item (item 25) for unforeseen expenses. Such unforeseen expenses, therefore, will not be paid from the working capital fund. Exception should, however, be made in the case of recoverable expenses, as, for instance, commissions whose expenses will be refunded at a later date by the countries concerned. Since no other unforeseen expenses are to be incurred on account of the working capital fund, it will be necessary to increase to 500,000 gold francs the allocation for such expenses as are provided for under item 25 of chapter II. It must, however, be understood that the unforeseen expenditure provided for in item 25 can be incurred only after having been sanctioned by a special resolution of the Council.

(8) In connection with the organisation, offices, commissions, &c., alluded to in chapter II. of the budget it is necessary that each of these organisations, &c., should prepare its own detailed budget, which should be annexed to the general budget of the League with a detailed explanation. In the matter of expenditure these special budgets should follow the same methods and be subject to the same control as the general budget of the League of Nations.

(9) The amounts included in the different items of the budget for expenditure call for the following remarks. It should not be forgotten that the whole organisation of the League of Nations had to be created in a very short space of time. This was an admirable, but necessarily a costly, effort.

From the information placed at the disposal of the Committee by the International Labour Office and the Secretary-General, it is possible to realise the great amount of work which has been accomplished by the Secretariat of the League of Nations. It was, however, impossible to form an exact opinion as to whether the Secretariat of the League was working in the most economical and efficient manner, without resorting to a full enquiry by experts. As the League is still in the organisation period, it is not possible to hold such an enquiry and prepare reports which could be used at the present session of the Assembly. We are of the opinion that as soon as possible a small Committee of experts should be appointed to examine and report upon the organisation and methods of work, the efficiency, the number, the salaries and the allowances of the staff, upon the general expenditure of the organisation and upon all other matters necessary to enable the Assembly to form a fair judgment in respect thereto.

In submitting this proposal we have solely in mind the idea of guaranteeing to the League of Nations an organisation as efficient and economical as possible, without desiring thereby to give expression to any unfavourable judgment regarding the work of the administration up to the present time.

In the meantime, we should endeavour to obtain the maximum of efficiency together with the maximum of economy and, so far as possible, avoid entering upon costly enterprises which might eventually be taken up by the League of Nations, but could equally well at present remain in the hands of individual Members of the League or of the existing Unions.

In view of the Resolution adopted by the Council at Rome on 19th May 1920 (*Official Journal*, pp. 125 and 139), the Committee recommended to the Assembly to affirm that, notwithstanding the adoption by the Assembly of the budgets for the first three budgetary periods, the Assembly reserves to itself the right, upon receipt of the report of the Committee of experts to be appointed in pursuance of the second Resolution, to vary, to such extent as it thinks fit, the rate of remuneration of any officer of the Secretariat.

Para. 3.—Future Budgets.

Concerning the future budgets of the League of Nations, it is important that certain general rules be laid down. In accordance with the provisions of Article 11 of the Rules of Procedure of the Council of 7th May 1920 (*Official Journal*, p. 274), the Secretary-General should, three months at least before the annual session of the Assembly, commencing on the first Monday in September, submit to the Council a draft general budget (Rules of Procedure of the Assembly adopted 30th November 1920, Articles 1 and 4). The States Members of the League of Nations should receive communication of the budget with detailed explanations at least one month before the annual session during which the Assembly is called upon to adopt the budget. Naturally the Assembly could adopt such supplementary estimates as might thereafter be brought before it.

The following points should be borne in mind in connection with the Labour Organisation :—

- (1) The budget of the Labour Organisation should, in future, be drawn up in gold francs.
- (2) The budget should be submitted to the Secretary-General at a sufficiently early date to enable it to be incorporated in the general draft budget of the League.
- (3) To this budget should be annexed detailed explanations and a list of the officials of the International Labour Office, with their salaries, allowances and nationality. These lists should be drawn up on the same lines as the similar lists which the Secretary-General of the League of Nations submits to the Assembly as an annex to his budget.

The Secretary-General should inform the Director of the International Labour Office in good time of the dates on which the above-mentioned data will be required.

Para. 4.—Manner in which Expenditure should be incurred.

It is also important that certain general rules should be laid down concerning the manner in which expenditure shall be incurred. No expenditure should be incurred except upon a warrant of the Secretary-General or one of his duly authorised deputies clearly stating both the budget period and the appropriation to which this expenditure is to be charged. In reference to transfers from one

appropriation to another, such transfers should only be made on the authority of the Council, and notice thereof should be sent to each Member of the League. At present we are only concerned with the laying down of general lines for the proper application of the budget. These, in a way, are already indicated by a decision of the Council at its Brussels Session on 27th October 1920.

Para. 5.—Control of Expenditure and Income.

Article 12 of the Rules of Procedure of the Council (*Official Journal*, p. 274) lays down that two members of the Council itself should act as auditors and these might be assisted by financial experts of a Government designated by the Council from among the Members of the League.

It should be noted that the League of Nations has already obtained the services of certain Governments for the purpose of audit of the accounts for the past fiscal period. We recommend that this course be pursued in the future. This would ensure an efficient audit and one entirely independent of the authorities which appoint and all grades of the staff. The auditors should, three months before the annual session of the Assembly, present to the Council a report on the accounts and book pay-keeping. The accounts should be finally confirmed by the Assembly at its annual session.

As mentioned in para. 1, the Secretary-General should be asked to submit regularly to the Assembly as an annex to each budget, a list of payments and receipts on account of the working capital fund and a statement of the use to which the latter will have been put.

Para. 6.—Allocation of Expenses of the League of Nations.

According to Article 6 of the Covenant, the schedule in force for the Universal Postal Union shall govern the apportionment of the expenses of the League of Nations. Ever since its first meeting the Committee unanimously agreed that the postal schedule which had been drawn up to meet conditions which have changed considerably, and which only referred to inconsiderable sums, should be modified at the earliest possible opportunity. Everyone acknowledges that the present allocation is very unfair. In order to remedy this situation, two proposals were made. On the one hand, it might be possible to proceed with the negotiations which had already been opened with the Universal Postal Union, with the object of arriving, through its intervention, at a revision of the schedule of the League of Nations.

On the other hand, it might be possible to take preliminary steps with a view to submitting an amendment to the Covenant for the approval of the Assembly at the session to be held in September 1921. There were supporters and opponents to these two proposals, both for practical and theoretical reasons. The solution proposed by the Committee in Articles 13 (a) to (e) endeavours to combine both methods, and was agreed to by members holding divergent opinions. The revision of the schedule will be prepared by a Committee appointed by the Council; it will consequently be requested to continue the work already undertaken by the Committee appointed by M. Ador at the request of the Council.

Since it is impossible to modify for 1921 the existing schedule, it will necessarily apply to the allocation of the expenses of the League during 1921; on the other hand, according to Article 17, the allocation for 1922 will be so arranged by the Assembly of 1921 that the members who in 1921 will have paid a contribution larger than that contemplated in the new schedule, shall, in 1922, pay a correspondingly smaller amount, and *vice versa*.

Para. 7.—Conclusions.

The remarks included in paras. 3 to 6 (Budget of Expenditure and Income, manner in which the Expenditure is incurred, Control of Expenditure and Income, Allocation of Expenses) mainly concern the financial administration of the League of Nations. This administration is one of the essential parts of the constitution of the League, and it would be very desirable to unite under a single head the different regulations concerning the same. Such a set of regulations would also make it easier to form an adequate judgment on a subject which appears complicated when distributed in different texts. In view of the importance of the matter, these regulations should be laid down by a Resolution of the Assembly.

Para. 8.

In virtue of the foregoing report the Committee has the honour to propose to you the adoption of the following Resolutions and Recommendations:—

First Resolution.—The Assembly of the League of Nations hereby adopts the general budget of the League for the first financial period ending 30th June 1920, together with the budget for the second financial period ending 31st December 1920.

Second Resolution.—The Assembly of the League of Nations hereby adopts the annexed general budget for the year 1921.

RECOMMENDATION I.

The Assembly of the League of Nations requests the Members of the League to take the necessary measures to ensure their contribution being paid at the earliest possible date. Each Member should in any case inform the Secretariat on 1st January 1921 on what date it may expect payment to be made.

RECOMMENDATION II.

The Assembly of the League of Nations requests the Council to be guided by the principles embodied in the following Articles in regard to the financial administration of the League, and to prepare at the annual Session of the Assembly, 1921, a draft Resolution upon this subject.

Article 1.—Three months at least before the Annual Session of the Assembly, the Secretary-General shall submit to the Council a general draft budget of the League for the following year (expenditure and income) as provided for in Article 399 of the Treaty of Versailles (*sic*), and this shall be at once communicated to each Member of the League.

Article 2.—Draft budgets for the Labour Office and for other organisations, offices and commissions, &c., of the League, and also detailed explanations, lists of officials, their salaries, allowances, and nationalities, shall be attached to the general budgets as annexes. The Secretary-General shall notify the organisations, offices and commissions, &c., referred to, of the date in each year by which these data are to be received.

Article 3.—The Council shall see that the budget, as approved by it, with detailed explanations, shall be in the hands of the Members of the League of Nations at least one month before the annual session of the Assembly.

Article 4.—Upon the adoption of the budget by the Assembly, with or without amendment, the budget shall be operative to the extent of the amounts, for the purposes and services, and for the period specified therein.

Article 5.—Supplementary estimates which may become necessary from any cause shall be submitted with explanations and lists as provided for in Article 2 at the earliest practicable moment to the Assembly which at the then current session shall consider and approve the same, subject to such amendment and alteration as it deems proper.

Article 6.—Expenditure can only be effected by virtue of a warrant signed by the Secretary-General, or one of his duly authorised deputies, in which is mentioned the fiscal period and the appropriation on account of which the expenditure is incurred. Unforeseen expenditure can only be incurred on account of the last item of the second chapter (item 25) if it is authorised by a special Resolution of the Council, which must be immediately communicated to all the Members of the League of Nations.

During the year 1921 transfer from one item to another of the same chapter can be effected by virtue of a special Resolution of the Council, which must be immediately communicated to all the Members of the League of Nations. This action is not to be taken as establishing a precedent.

Article 7.—Except as regards recoverable advances, expenditure which has not been provided for in the general budget cannot be paid from the special working capital fund.

Article 8.—At the beginning of each year the Council shall engage the services of the auditors of a Government chosen by the Council from the Members of the League.

Article 9.—The Secretary-General, or in the case of the Labour Organisation, the Director of the International Labour Office, shall, at the latest, three months after the close of the budgetary period, submit to the auditors all documents necessary for their reports.

Article 10.—Three months at least before the Annual Session of the Assembly, the Auditors shall present to the Council, or in the case of the Labour Organisation to the Governing Body, a report on the correctness of the accounts and bookkeeping. These reports shall be circulated to all the Members of the League.

Article 11.—The Director of the International Labour Office will transmit the audited statement of his accounts together with a copy of the Auditors' Report, to the Secretary-General of the League (Article 399 of the Versailles Treaty), who will submit the same, with his own, to the Assembly.

Article 12.—The Assembly shall finally pass the accounts for expenditure and income.

Article 13.—(a) Whilst the existing allocation must from a juridical point of view be observed for the year 1921, the Assembly recommends to the Council the immediate appointment of a Special Committee of five Members, including the Swiss delegate to the Universal Postal Union, to investigate the question of the allocation of the expenditure of the League, with a view to an equitable scheme of allocation being devised.

(b) The Committee shall, at the earliest possible moment, not later than 31st March, report to the Council the scheme of allocation which it recommends, and the Secretary-General shall, as soon as possible, transmit a copy thereof to each Member of the League.

(c) The Committee shall place itself in communication with the authorities of the Universal Postal Union, with a view to the scheme of allocation which it recommends, with the approval of the Council, being brought into force at the earliest possible date.

(d) If the scheme of allocation recommended by the Committee is not adopted prior to the 1st July next, or if any of the Members express disagreement with it, the question of the allocation of expenditure shall be placed on the agenda of the Assembly of 1921.

(e) The allocation for 1922 shall be so arranged by the Assembly of 1921 that Members, who shall have contributed in 1921 more than they would have done if the new scheme had been in force will in 1922 pay a corresponding amount less than their quota and *vice versa*.

RECOMMENDATION III.

The Assembly of the League of Nations requests the Council to take the necessary steps to appoint as soon as possible a small Committee of experts to consider all factors connected with the organisation, methods of work and efficiency, number, salaries and allowances of the staff, and with the general expenditure of the organisation as well as with all other points necessary to enable the Assembly to form a fair judgment in respect thereto, both as regards the Secretariat and the International Labour Office. The report of this Committee should be in possession of the Members of the League by 1st June 1921.

ANNEX :—Third Budget of the League of Nations.

Summary of Items (Income and Expenditure).

Expenditure		Gold Frs.	Income.	Gold Frs.
A.—General League Expenditure.				
1. Direct Expenditure : Working expenses of Secretariat (Art. 6 of Covenant)		6,565,000	1. Contribution towards normal upkeep	10,100,000
2. Indirect Expenditure under League Control		3,535,000	2. Ordinary contribution towards upkeep of Labour Organisation	7,010,000
3. On Capital account		2,000,000	3. Extraordinary contribution towards Capital account	2,000,000
4. Balance required for creation of special Working Capital fund		1,890,000	4. Extraordinary contribution towards Working Capital fund	1,890,000
B.—Labour Organisation.				
5. Estimated requirements for 1921		7,010,000		
		<u>21,000,000</u>		<u>21,000,000</u>

I.—Direct expenditure of the Secretariat.

	Gold Frs.
1. Salaries, Wages and Allowances	
(a) Secretariat	4,200,000
(b) Household Staff	200,000
2. Travelling expenses of Officials of the League	150,000
3. Meeting of Assembly at Geneva	750,000
4. Property Account :	
(a) Installation at Permanent Seat of League	25,000
(b) Maintenance	219,420
(c) Expenses of Offices in London and Paris	100,000
5. Travelling and Subsistence Expenses of Auditor	5,000
6. Further removal expenses (non-recurring)	25,000
7. Publication Department	100,000
8. Office Expenses, Printing, Stationery, Cablegrams, Telegrams, Postage, &c.	550,000
9. Official Journal : Publication and distribution	100,000
10. Interest Charges	75,000
11. Unforeseen Expenses of the Secretariat	55,580
12. Inquiry as to the Organisation of the Secretariat (half of 20,000)	10,000
Total of chapter I	<u>6,565,000</u>

II.—Indirect Expenditure under the control of the League of Nations.

13. Administrative Commissions and Minorities questions (recoverable).	
14. Freedom of Communications and Transit Organisation : General Conference at Barcelona and subsequent expenses arising therefrom	500,000
15. International Bureaux and Commissions	100,000
16. International Financial and Economic Organisation	760,000
17. Permanent Advisory Commission for Military, Naval, and Air questions	200,000
18. Central Bureau for the Regulation of Arms Traffic	50,000
19. Permanent Court of International Justice	650,000
20. Permanent International Health Organisation	400,000
21. Permanent Mandates Commission : Cost of Meetings of Commission	100,000
22. Repatriation of Prisoners of War :—Expenses of Dr. Nansen, &c.	150,000
23. Organisation for the Supervision of the Opium Traffic	50,000
24. International Blockade Commission	75,000
25. Unforeseen Expenses : Special Commissions of Enquiry, &c. (subject to special vote of the Council)	500,000
Total of chapter II	<u>3,535,000</u>
Total of chapters I. and II	<u>10,100,000</u>

* A further sum of 250,000 gold francs was included in the budget as adopted by the Assembly (see para. 113 of our Report).

	Gold frs.
Brought forward ..	10,100,000
III.—Capital Expenditure.	
	Swiss Frs.
26. Payment on Account of Balance of Purchase Price of Hotel National, Geneva :	—
(a) Second instalment, due 1st May ..	500,000
Interest estimated at 7 per cent. on 5,000,000 Swiss frs. for 6 months ..	175,000
(b) Third instalment, due 1st November ..	500,000
Interest at 7 per cent. on 4,500,000 Swiss frs. for 6 months ..	157,000
27. Payments to maintain the Options on adjoining Properties*	
(a) "Villa" property—payable 1st November ..	5,000
(b) "Armleder" property—payable 1st May ..	8,333
payable 1st November ..	8,334
28. Furniture :	
For the Hotel National (half payable 1st March, half payable 1st September) estimated value† ..	500,000
29. Library installation :—	
(a) Shelving, &c. ..	35,000
(b) Books, Periodicals, &c. ..	200,000
30. Printing Office (if installed by League) ..	250,000
31. Additional Installations of permanent character ..	48,477
Total in Swiss frs. ..	<u>2,392,644</u>

2,000,000

Gold frs.

IV.—Balance.

32. Balance required for special Working Capital fund‡ .. 1,890,000

V.—Labour Organisation.

33. Estimated expenditure for 1921 according to Budget passed by International Labour Office (Resolution of 7th October 1920) 7,000,000

34. Expenses for Enquiry (half of 20,000) .. 10,000

Total gold frs. .. 21,000,000**ANNEX 13.—Report of Sub-Committee B of Committee No. VI. on the Economic Weapon.**

We have held three meetings and have arrived at the following conclusions :—

1. We considered first what recommendations we should make as to the action to be taken on the resolution of the Council adopted at San Sebastian on 3rd August 1920. It will be remembered that on that occasion the Council adopted the Report of Signor Tittoni, and resolved that—

"The Council decides to place upon the agenda of the first Assembly of the League of Nations the consideration of the necessary measures to ensure the application of Article 16 of the Covenant. With this aim in view, it will propose to the Assembly that, as a preliminary measure, an International Blockade Commission should be appointed under the authority of the first Assembly for the purpose of studying the problem and settling the general plan of action, the organisation of the more permanent machinery required, and the principles on which it should work."

In the Report was also contained a paragraph to the effect that—

"A Committee composed of an equal number of members of the Council and of the Assembly may be set up to examine the question of the constitution of this international Commission and its duties."

*These amounts to be deducted from price should it be decided to buy within three years.

†Exclusive of furniture brought from London and office furniture on order in Geneva for delivery in November 1920, these items (200,000 gold frs.) being provided for in the Second Budget.

‡The second budget of the League authorised the appropriation of the sum of 1,725,000 gold francs for the creation of a working capital or reserve. It was not expected then that the heavy expenses consequent upon the removal of the Secretariat to its permanent seat and its establishment there would be incurred during the second fiscal period.

The transfer having taken place during 1920, the greater part of the sum allocated for the creation of working capital will have been absorbed.

It is, therefore, necessary to include a similar appropriation in the third budget, in order that the League may always have at its disposal sufficient funds to carry on its work. This arrangement is very necessary, owing to the delays which frequently take place in the voting of credits by Parliaments and the fact that certain Members of the League, for this reason, find it impossible to pay their contributions as soon as they become due.

As the Council has consulted the Assembly on these proposals, we are bound to say that it seemed to the Sub-Committee that this was not a very satisfactory piece of machinery, and they therefore decided to recommend that—

“The Council should be asked to appoint an International Blockade Commission to consider the application of Article 16 of the Covenant; the Commission will report to the Council, who shall place the conclusions before the Assembly at its next session for their acceptance, rejection, or amendment without prejudice to any action that may have been provisionally taken upon them. The Commission should not exceed eight in number, with power to summon experts to advise them, and not less than half its members should be persons representing States which have not a right to permanent membership of the Council.”

2. It will be observed that in this recommendation the International Blockade Commission are to consider what steps are necessary to bring into full effect the provisions of Article 16. But the Sub-Committee were also instructed to consider what steps should be taken immediately to render as effective as possible the Economic Weapon of the League under Article 16. The Committee are aware that under that Article it is the duty of every Member of the League in the case of any Member resorting to war in disregard of its covenants under Articles 12, 13, or 15 to subject it to—

“The severance of all trade or financial relations, the prohibition of all intercourse between their nationals and the nationals of the Covenant-breaking State, and the prevention of all financial, commercial or personal intercourse between the nationals of the Covenant-breaking State and the nationals of any other State, whether a Member of the League or not.”

That is a duty which now actually rests upon every Member of the League, but there are two difficulties in the way of its performance. In the first place, it may easily be uncertain whether a State has resorted to war in breach of the Covenant, and no machinery has been provided for ascertaining the facts. In the second place, there are considerable difficulties, which were pointed out in the discussion before the Committee on a previous occasion, in carrying out to the full what may be, for shortness, described as the blockading operations contemplated by the Article.

To obviate these difficulties we propose provisionally and subject to review by the International Blockade Commission :—

- (a) It shall be the duty of the Secretary-General to call the attention of the Council to any facts which in his opinion show that a Member of the League has become a Covenant-breaking State within the meaning of Article 16.
- (b) Upon receiving such an intimation the Council shall hold a meeting with the least possible delay to consider it, and shall send a copy of the *proces-verbal* of the meeting to all the other Members of the League.
- (c) As soon as a Member of the League is satisfied, in consequence of the communication of the *proces-verbal* of the Council, that a breach of Covenant within the meaning of Article 16 has occurred, it is its duty to take measures for the purpose of carrying out the first paragraph of Article 16;
- (d) These measures should include the breaking off of all diplomatic relations. But relations which exist for purely humanitarian purposes may be maintained with the Covenant-breaking State; and
- (e) The prevention of any commercial or other intercourse between the residents within its borders and those residing in the Covenant-breaking State. For this purpose the necessary legislation preventing intercourse between the residents of the two States should be immediately passed, according to the constitution of each Member of the League;
- (f) Where the Covenant-breaking State has a sea-board, it will be necessary to institute an effective blockade thereof, and the Council should forthwith consider which Members of the League can most conveniently be asked to discharge this duty.

3. Beyond this it is a matter for consideration what further steps ought to be taken to carry out Article 16, and this should be referred to the International Commission. For instance :—

- (a) It is very desirable that identity of action by all the Members of the League against the Covenant-breaker should be secured.
- (b) Further, there are questions as to relations between nationals of the Covenant-breaking State and those of other Members of the League which require consideration.
- (c) It is also desirable to consider, in accordance with the proposals made by Denmark, Norway, and Sweden, what action should be taken in the case of Members of the League who, from smallness of their resources and their geographical position, might be in serious danger if they carried out to the full their obligations under the first paragraph of Article 16 against a powerful Covenant-breaking State. This is a matter which may have to be considered at any moment from a practical point of view if the necessity for coercion of a Covenant-breaking State should arise. In that case the Council would have to take whatever measures it thought suitable for the emergency.

But, both in this last case and in the others before alluded to, the questions involved were thought by the Sub-Committee to be too complicated for them to deal with, and they should, therefore, be referred to the International Blockade Commission, with other difficult questions, such as :—

- (d) How the blockade can be enforced where a State not a Member of the League is a neighbour of the Covenant-breaking State, and
- (e) What restrictive measures of a financial character can and ought to be taken.

4.—(a) With regard to the States not Members of the League who have been invited under Article 16 to accept the obligations of membership, and have acceded to that invitation, the observations and recommendations in this Report apply to them as if they were ordinary Members of the League.

(b) Where a State has been invited and has refused to accept the obligations of membership, and has resorted to war against a Member of the League in disregard of any procedure such as that provided for by Article 15, the Members of the League must treat it in precisely the same way as if it were a Covenant-breaking Member of the League within Article 16.

(c) Where neither party to a dispute is a Member of the League, and they both refuse to accept the obligations of membership of the League for the purposes of that dispute, Article 16 does not apply, and the Council are left to take such measures as they think right. But in this last case, if the measures recommended by the Council should involve action by any other Member of the League, it has a right to be summoned to the Council with the position of a full Member for the consideration of the proposed measures, and consequently none of them affecting it can be adopted without its consent.

5. Any proposal which the International Blockade Commission may recommend, and which is of a nature to require amendment of the Covenant, will naturally be referred to the Committee that is to be set up for consideration of all amendments to the Covenant.

ANNEX 14.—*Report of Sub-Committee A. of Committee No. VI. on Armaments.*

The Sub-Committee on Disarmament have held five meetings and have examined Sir Cecil Hurst on the juridical aspect of the Arms Traffic Convention, and three witnesses from the Military Commission established under Article 9 of the Covenant.

The Sub-Committee addressed their attention to the following subjects :—

Arms Traffic Convention.

1. The Sub-Committee were impressed by the great importance of this Convention, and by the desirability of obtaining ratification of the Convention with as little delay as possible.

2. The Sub-Committee, having regard to the paragraph in Article 8 of the Covenant, which runs as follows :—

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

discussed the general aspects of the problem and invited the Permanent Military Commission to give evidence upon it. The Sub-Committee ascertained that the subject had not yet been taken in hand by the Military Commission, although the Commission had prepared tables of enquiry for circulation among the Members of the League, which provide for some of the preliminary statistical information upon which a decision might be based. The Sub-Committee consider that the question indicated in Article 8 of the Covenant is one which certainly deserves serious enquiry, and hold that the sooner this inquiry is undertaken the better, in view of the large stocks of war material now accumulated in the belligerent countries. Accordingly, the Sub-Committee recommend that the Council should ask the competent Commissions to consider the question of the private manufacture of armaments and to report on it with as little delay as possible.

3. The Sub-Committee, taking account of the paragraph in Article 8 of the Covenant, which runs as follows :—

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

invited the Military Commission to give evidence upon the steps which had already been taken, or which were in contemplation, to give effect to this provision. The Sub-Committee ascertained that the Military Commission have already been asked by the Council to consider plans for obtaining military information; that a questionnaire has already been prepared and that it will probably be submitted to the Council before the Assembly rises. The Sub-Committee attach importance to the execution of this provision of the Covenant; and trust that the Council, upon receipt of the Report of the Commission, will communicate it without delay to the Members of the League. The Sub-Committee are also of opinion that if the questionnaire were available for consideration by the Committee of the Assembly before it has terminated its labours, the Committee will probably be glad to take note of it.

The Sub-Committee have no doubt that the Military Commission will, in conjunction with the Secretariat, make all the necessary arrangements for the interchange and publication of the information received in response to the questionnaire issued under the authority of the Council.

Some members of the Sub-Committee having drawn attention to the right of verification as a corollary to and a consequence of a frank and complete exchange of information, the Sub-Committee express the hope that the Council will take into consideration the machinery to be adopted when the principle of verification has been established by an amendment to the Covenant.

4. The Sub-Committee took into consideration the question as to whether it was desirable for the Council to invite the Military Commission to undertake the duty of reviewing or revising the laws of war. The Sub-Committee noted that the question of gas warfare had already been referred to the Military Commission, and that the Commission had reported upon it. While the Sub-Committee are of opinion that the question of defining the sphere of legitimate warfare and of attempting to limit the use of barbarous weapons is of great importance, it is inclined to hold

that the more immediate task of the Military Commission is to prepare the way for the reduction of armaments, and that this task is so formidable and complex that the Commission should not at present be invited to deal with the revision of the laws of war, a matter which involves other than strictly military problems.

5. The Sub-Committee investigated with some care the composition of the Permanent Military Commission and its methods of work. They realise that the Permanent Military Commission is firstly a body of technical advisers to the Council, and secondly, a body of military experts responsible to their respective Governments. The governing idea of the Military Commission is, that through its agency the Council may be placed in immediate contact with responsible military opinion in the States represented on this body. The Sub-Committee, also, agree with the view that the Council is entitled to the best technical advice in respect of the execution of Article 8, and, finally, that the responsibility of the several members of the Military Commission to their respective Governments imparts a special weight to their counsels.

On the other hand, the Sub-Committee were of the opinion (1) that questions would from time to time arise upon which the Council would rightly and properly desire to supplement the technical military advice of its Permanent Military Commission by expert information of another kind, e.g., in the sphere of politics, economics or social science. The Sub-Committee are of opinion that the Council might make use of the Economic Section of the Secretariat, and that it might appoint special civilian committees *ad hoc* to examine from an economic, social or political standpoint such problems connected with disarmament as might from time to time be convenient to submit to it. And (2) that special occasions might arise upon which the Council might be disposed to refer a matter to the Military Commission in their capacity as a body of military experts without reference to their respective Governments.

6. Finally, the Sub-Committee desire in the most solemn way possible to register their belief in the vital necessity of reducing the burden of armaments in the world; and of influencing public opinion to this end, through a concentrated effort of popular education in the various countries of the League. The Sub-Committee are aware that a comprehensive scheme of disarmament based on a thorough feeling of trust and security as between nation and nation, cannot be looked for at once. They do not ignore the fact that the world is still disturbed, and that a complete and comprehensive scheme of disarmament depends upon the following conditions:—First, upon the complete fulfilment, under the responsibility of the Powers signatory to the Treaties of Peace, of the reduction of armaments imposed by the above-mentioned Treaties upon certain of these Powers; secondly, upon the exercise of the right of investigation accorded by those Treaties to the Council of the League of Nations, in order to maintain that reduction; and lastly, upon the collaboration of the other great military Powers which have hitherto remained outside the League.

The Sub-Committee are aware that progress must be effected in successive stages. The first stage would be reached if a general agreement could be framed between Members of the League not to exceed their present scale of armaments save at the request of the League or in circumstances recognised as exceptional. A further measure of progress would be realised if a general agreement were reached for a proportionate and simultaneous reduction either in the scale of armaments or in the existing military budgets of the Members of the League. The third stage would be the acceptance of disarmament, by which term the Sub-Committee understand a scientific and comprehensive reduction of armaments under the supervision of the League to the lowest figure compatible with national security. In other words, the Sub-Committee draw a distinction between limitation of armaments, reduction of armaments, and disarmament, and regard these as three successive stages in the journey which has to be accomplished.

Though the Sub-Committee are aware that in the present disturbed state of the world progress along this road cannot be as fast as the Members of the League would desire, they are nevertheless of opinion that many useful steps in the right direction can and should be taken at once, and these are indicated in the third resolution attached to the Report.

The Sub-Committee are also of opinion that an effort should be made to enlist the interest of Powers at present standing outside the League in the great task of preparing the way for disarmament.

While the Sub-Committee feel that a limitation of armaments is an object which might be achieved with comparative ease, they are not prepared to make positive recommendations with respect to the formula which should govern the subsequent process of reduction. While many members of the Sub-Committee expressed the view that a scheme of proportionate and simultaneous reduction in the existing military budgets of the Members of the League might, with all due and proper qualifications, be found to provide the simplest and most practical formula for reduction, it was realised, on the other hand, that in a period of unsettled prices, and while great military Powers stand outside the orbit of the League, a hard and fast scheme of budgetary reduction is encompassed with difficulties which are not indeed insuperable, but are certainly real. The Sub-Committee conclude by presenting to the Committee the following resolutions.*

ANNEX 14 (A) :—*Report on the Arms Traffic Convention.*

1. Arms of precision in the hands of individuals in the less civilised areas of the world may constitute a great danger to the peace, order, and security of those areas, and unless a rigid control over the traffic in firearms can be maintained the task of governing those areas is gravely complicated. This fact has been recognised for many years past, and found expression in the Brussels Act, 1890, which instituted a strict control of the Arms Traffic over a large portion of the continent of Africa.

* Not reprinted here. For the Resolutions and Recommendation adopted by the Assembly, see Appendix II., Resolutions Nos. 24-26, and Recommendation No. 2.

2. There is another element of which account must be taken. Experience in all civilised countries during the last few decades has shown the use which persons of evil disposition, such as anarchists and criminals, can make of high explosives, automatic pistols, and similar commodities; commodities of which vast quantities must be manufactured and used in time of war.

3. One of the inevitable consequences of a great war is that on its conclusion the belligerent Governments will find themselves in possession of large stocks of arms and munitions of all kinds, and unless some measures of control are taken these stocks may be dissipated as soon as peace is concluded, and may become a source of great danger to other States. It was for this reason that at an early date the Allied Governments decided that it would be well to agree upon a common policy with regard to the disposal of such stocks, and to the control of the traffic in arms and munitions.

4. The Convention signed at St. Germain on 10th September 1919 for the control of the trade in arms and munitions embodies the conclusions of a Special Commission appointed by the Allied Governments to study this question during the Peace Conference in Paris. It deals with the difficulties referred to in the earlier paragraphs of this Report in two ways: firstly, by provisions relating to the control of exports of arms and munitions from the territories of the contracting parties; and, secondly, by defining the areas within which the arms traffic constituted an especial danger and instituting a very stringent control of imports of arms into such areas.

5. By the terms of this Convention exports of weapons of war (defined as "artillery of all kinds, apparatus for the discharge of all kinds of projectiles, explosive or gas-diffusing, flame-throwers, bombs, grenades, machine guns and rifled small-bore breech-loading weapons of all kinds") and of ammunition for such weapons are to be prohibited absolutely, subject only to one exception, *viz.*, that licences can be granted for exports of such arms for the use of the Government itself or of the Government of another contracting party. Exports of firearms and ammunition not covered by the term "weapons of war" are prohibited to the danger zones referred to above, except under licence. Licences may be granted only if and when the Government granting the licence has satisfied itself that the arms will not be used in a manner which involves any violation of the Convention.

Particulars of all export licences are to be published and also to be communicated to a central office, which will be under the control of the League of Nations. This office will also receive statistical information from the Governments of each of the contracting parties as to all exports of arms which under the provisions summarised above do not entail a licence. Publicity is therefore ensured.

6. The areas within which the trade in firearms is subjected to strict control consist of: Africa (excluding Algeria, Libya, and the Union of South Africa), Trans-Caucasia, Persia, the Arabian Peninsula, and the Asiatic territories which formerly belonged to Turkey, together with a maritime zone, including the Red Sea, the Gulf of Aden, and the Persian Gulf.

Within these areas arms and ammunition can only be imported at specified ports. They must be deposited in warehouses unless they are required for Government use, or are going to localities in which the inhabitants are allowed to have arms in order to protect themselves, or are being moved to other depôts authorised by the Government, or are for use by authorised individuals.

No person can trade in arms without a licence, his premises must fulfil certain conditions, and an exact register must be kept of every item in his stock. A special licence is required if any arms or ammunition are to be moved from one place to another. No person may give or transfer arms or ammunition to another without a licence. Manufacture of arms in these areas is prohibited, except in Government workshops, and repairs of arms are prohibited, except in licensed workshops.

There are also provisions prohibiting the transport of arms in dhows or other native vessels of less than 500 tons, except between ports of the same State; in the latter case, arms can be transported with a licence.

7. The Convention was signed by all the Allied Powers at Paris, and contained a clause pledging the parties to use their utmost efforts to induce all Members of the League of Nations to adhere to it. As between the parties the Convention replaces the provisions of existing international conventions on the subject, *i.e.*, the arms traffic portion of the Brussels Act.

8. In addition to the general prohibition of the exports of arms, munitions and war material by the ex-enemy Powers which is provided for in the various treaties of peace (*e.g.*, Versailles, Article 170, para. 2) each of these Powers undertakes to accept and observe any Convention made by the Allied Powers relating to the trade in arms (Versailles, Article 126, St. Germain 373, Neuilly 290, Trianon 356, Sèvres 9).

9. It should also be remembered that under Article 23 (d) of the Covenant the League of Nations is entrusted with the general supervision of the trade in arms and ammunition with the countries in which the control of this traffic is necessary in the common interest, that is to say with the zones referred to in para. 6 of the present Report, and is given the supervision of the Central Office referred to in Article 5 of the Convention.

10. Such are in outline the provisions relative to the arms traffic which formed part of the Peace settlement effected in 1919.

At the time when the Convention of St. Germain was drawn up it was realised that in certain countries the complete execution of its provisions might necessitate legislation, and that some delay might therefore ensue before all the signatory Powers were ready to deposit their ratifications, but it was considered that the control of the export of arms during the period between signature and ratification was a pressing matter. For this purpose a Protocol was drawn up and signed by all the plenipotentiaries on the same day as the Convention to the effect that they would regard it as contrary to the intention of the High Contracting Parties and to the spirit of the Convention that pending its coming into force any measures should be taken by one of the Parties which were contrary to its provisions.

This Protocol was understood to mean that pending the coming into force of the Convention exports of arms ought not to be allowed which violate the Convention, but on the other hand it was not intended to prevent exports which would be permissible after the Convention came into force. The Protocol therefore constituted no obstacle to exports of weapons of war to a Government which expressed its readiness to adhere to the Convention as soon as such adherence could be accepted.

11. Up to the present time only two Powers have ratified the Convention, *viz.*, Siam and Greece. Brazil, Chile, Esthonia, Finland, Colombia, the Netherlands, Persia and Venezuela have signified their willingness to adhere to the Convention when the opportunity occurs, and in the meantime to observe the provisions of the Convention and the Protocol. Spain has made a corresponding announcement, but has indicated a desire to arrange for the exclusion of the Spanish possessions in North Africa, other than the Spanish zone in Morocco, from the operations of the Convention. Guatemala, Haiti and Peru figure among the list of the signatory parties to the Convention, but their plenipotentiaries did not sign it; these three Governments have, however, now indicated their intention to adhere to the Convention.

12. The full execution of the Convention and the Protocol has been hindered by the absence of the necessary statutory authority over the control of exports of arms in the United States of America, a country where arms are manufactured on a large scale. In the case of arms which belonged to the American Government the executive authorities were in a position to carry out the provisions of the Convention, but the export of arms and munitions by private firms could not be controlled except to certain destinations, *e.g.*, Mexico, Turkey and Soviet Russia. This circumstance has rendered it impossible to obtain the enforcement of the provisions of the Convention and Protocol by the other signatory Powers, as their Governments did not feel justified in inflicting severe losses on the manufacturing industries of their country by prohibiting manufacture and export, when the effect of such action would not terminate the trade in arms, but would merely divert it into other hands.

13. An understanding has now been arrived at between the various States which have accepted the obligations imposed by the Convention that until it is ratified they will take no action which is contrary to the provisions relating to export and control of arms in the areas mentioned in para. 6 of this Report. No formal Protocol embodying this understanding has been drawn up, but it has been acted on since July 1920.

14. No one can fail to recognise the importance of securing the universal acceptance and execution of the policy of bringing the arms traffic under the strict control which was provided for by the Convention of St. Germain. Unfortunately it is equally true that powerful interests in each country will oppose with success the introduction of such control until it can be made universal. No State is likely to sacrifice the interests of its traders when the sole result of doing so would be to divert the trade to their rivals. It must therefore be the object of the League of Nations, which is charged with special duties in connection with the traffic in arms, to secure the early and universal ratification of the Convention.

ANNEX 15.—*Report of Sub-Committee C of Committee No. VI. on Mandates.*

The Sub-Committee has held five meetings and has arrived at the following conclusions.

There was considerable difference of opinion amongst the members of the Committee as to the proper construction to be placed upon the penultimate paragraph of Article 22. Some of them held that this paragraph gave to the Assembly the first right of dealing with Mandates. Others went even further, and considered that the League was entitled to settle what countries should be mandatories. Others, again, held that it was the intention of this paragraph to give to the Council the exclusive right of settling the terms of the Mandates unless they had been settled by the Allied and Associated Powers. The Sub-Committee decided not to enter into any of these questions. They took as a basis of their consideration of the subject the fact that the question of Mandates was already in the hands of the Council, and in the interests of orderly administration they did not feel that it would be desirable to attempt to take it out of their hands. At the same time they desire to suggest that the whole question of the position and powers of the League in regard to Mandates and the relations of the Council and the Assembly in this respect should be a matter for consideration and possibly for further action by the Assembly at some future date.

The matter actually considered by the Sub-Committee therefore divides itself into two parts; the Mandate Commission and the Mandates themselves.

With regard to the Mandate Commission, the Sub-Committee generally approves of the plan adopted by the Council. But some members of the Sub-Committee, on the strength of the grounds set forth in the Secretary-General's Memorandum to the Council of the 12th October 1920, expressed their regret that the Council had taken its decision in this respect at a time when the Assembly was sitting without availing themselves of its assistance.

As things stand only one or two special questions can be touched. Since no part of the Commission will be nominated by the Assembly it seems to be the more important that its members should be elected for a definite period or, if elected for an indefinite time, should not be dismissed without the assent of the majority of the Assembly. The Sub-Committee further desire to urge upon the Council the importance of having at least one woman member of the Commission in view of the great importance of questions affecting women and children in the administration of the mandated countries. Further, they desire to suggest that the mandatories should be asked forthwith to present a report as to the administration of the countries now given to them under a Mandate, of which generally speaking they have already been in armed occupation.

As to the Mandates, the Sub-Committee have found themselves in considerable difficulty. They felt that, particularly with regard to A Mandates, they could scarcely make any recommendations of value without being put in possession of the draft Mandates on which the Council were working. They were informed that the Council had before them draft Mandates for Syria, Mesopotamia and Palestine, and they accordingly asked that these drafts might be shown to them. As will be seen from the annexed correspondence,* the Council refused to allow them to see the drafts, except

* Not reprinted.

upon the condition that they should make no reference to their provisions in their Report, a decision which the Sub-Committee regret for the reasons which appear in the correspondence. They ought, perhaps, to point out that, though the last letter from the Council is not very explicit on the point, they enquired from the Secretary-General whether the Council intended to uphold their decision as to the confidential nature of the drafts, and were informed that that was the Council's intention. The Sub-Committee are not aware whether any drafts for Mandates B or C have been submitted to the Council. None have been furnished to them.

As to the C Mandates, the Sub-Committee are of opinion that since the mandated countries are to be administered as part of the territory of the mandatory, the terms of the C Mandates can be very little more than a repetition of the conditions already contained in the Covenant, and there does not seem much room for difference of opinion as to what these Mandates should contain.

The same is, to some extent, true of B Mandates, where the conditions in the Covenant are also pretty clearly defined. While in both Mandates the general intention of the Covenant that the mandated territories should be administered for the well-being and development of their inhabitants as a sacred trust of civilisation is of the utmost importance, in the B Mandates it may be necessary to enter into greater detail. The Sub-Committee have not had time to examine this question properly, but they have had before them a draft B Mandate prepared by the British League of Nations Union, which seems to contain provisions well worthy of the consideration of the Council in settling the form of Mandates of this class. The Sub-Committee accordingly annex a copy of this draft.*

With regard to A Mandates, it is evident that the theory on which they are based, namely, that of independent States assisted by the mandatory, leaves room for a much greater variety of terms than in the other two classes. And the Sub-Committee felt that the only way in which they could be of any real assistance would be by way of criticising drafts which were under the consideration of the Council. As the Council have declined to avail themselves of this assistance, the Sub-Committee do not think that they could usefully make any detailed recommendations on the subject. They desire, however, to make some general observations.

In the first place, they feel that the mandatory should not be allowed to make use of its position in order to increase its military strength. Secondly, they feel that the mandatory must not be allowed to use its power under the Mandate in order to exploit for itself or its friends the natural resources of the mandated territory. Thirdly, they are of opinion that the objects of the Covenant can only be fully achieved by the proper working out of the Mandate under an organic law. They therefore think that such a law should be passed in the mandated territories as soon as possible, and that before coming into force it should be submitted to the League for examination.

Finally, they regret that, owing to the course the Council have taken, there has been no opportunity for the public consideration of the draft mandates before they come into force and they trust that if any further delay should unfortunately take place, the draft mandates will be forthwith published.

ANNEX 16.—Situation in Armenia. Report presented to the Assembly by the Special Committee on Armenia.

The Armenian Committee appointed by the General Committee of the Assembly of 23rd November has met six times, with the object of enquiring into the situation in Armenia, in consequence of the invasion of that country by the troops and irregular bands acting under the authority of Mustapha Kemal Pasha, and of finding the best means to assist the Armenians in their struggle for independence, and eventually in their attempt to place the Armenian State on a sound basis.

According to the information which the Committee was able to obtain, it appears:—

That the Armenians had been unable to defend themselves from the Turkish attack, not because they were overwhelmed by the numerical superiority of the enemy, but because they were wholly lacking in organisation, military or political. As a matter of fact it is doubtful whether the Armenian Army is not larger than that of Kemal.

If, therefore, it is desired to come effectively to the assistance of the Armenians, there can be no doubt that it must be done not by sending a military expedition, or anything of that kind, but by giving to the Armenians the means of helping themselves. Without going into details, which it would be obviously improper at the present stage to discuss, the Committee is of opinion that for a comparatively moderate sum this object might be attained, provided that the right man can be found for the purpose of directing the necessary assistance.

The Committee are glad to note that considerable efforts are being made in the United States to raise a fund which should be applied for purposes of this kind.

The expenditure of such a fund should obviously be controlled by someone having the confidence of the donors, and your Committee have some reason to believe that other material assistance would be available for any serious enterprise such as is indicated.

Unfortunately, the present session of the Assembly will have come to an end before any definite result has been reached, and the Committee think it desirable that some agency of the League should remain in existence after the close of the Assembly, which would have full cognisance of all that has hitherto occurred and be able to keep in touch with further efforts in this direction.

They, therefore, recommend that the Assembly should ask the Council to re-appoint a Committee as from the end of the present session of the Assembly. The Committee would naturally be left at liberty to reorganise its work in the way it thought best having regard to the difficulty of frequent meetings of its members.

It is understood that the Committee would not be able in any way to pledge the responsibility of any Member of the League without their consent.

APPENDIX IV.

**Certain Speeches delivered by the Delegates of India at Plenary Meetings
of the Assembly.**

ANNEX I.—*Speech delivered by His Highness the Maharaja Jam Sahib of Nawanagar,
7th December 1920, in the Debate on Typhus in Poland.*

It is not necessary in addressing the Assembly of the League of Nations, the best informed and most cultured Parliament that has ever met, containing, too, a number of eminent scientists, to remind you that in this unhappy matter India is absolutely disinterested. Terrible as the present danger to Europe may be, terrible as it undoubtedly is, though it is a danger of dire infection which may easily spread into the adjoining countries of Western and Southern Europe—for instance, Germany, Italy, possibly France and even England—though the danger is terrible, India is, humanly speaking, immune from it, because climatic conditions do not favour the typhus germ as they do other epidemics. India has indeed her difficulties in respect of other maladies such as bubonic plague and famine,—in fact, India has enough and to spare. India, I repeat again, is disinterested in this matter. My subject is an unhappy one, no less unhappy than the horrors of Armenia, but I think myself happy that I am permitted to support a case so completely in harmony with the great and disinterested spirit of the Assembly of Nations, to support such a case before an audience which, by its essential character, is necessarily sympathetic to the cause I plead.

Under the inspiring sincerity of Lord Robert Cecil we saw this great Assembly, after months, nay years, of inaction by other bodies, rise as one man to aid helpless Armenia against her enemies. For myself, I can only speak with the tongue of men and not with the tongue of angels, but I beseech you to rise again now in aid, not of one people alone, but of many peoples attacked or in danger of being attacked by a more terrible and more destructive foe than a rebellious brigand, attacked by a fell pestilence and by all the train of social and economic perils which accompany such a pestilence. Let us not be under any misconception. It is not a matter alone of the disease and death of unhappy men, women and children in a central plague spot in Europe. It is a matter of grave and enduring social unrest and economic disruption in the very corridor of Europe, a region vital to the peace of Europe and of the world. Let me emphasise this social and economic danger. As I have said before, India is disinterested in this matter, but India is by no means ignorant of its bearings and its consequences. My country, nearly equal to all Europe in area, with its 315,000,000 inhabitants, with its 100,000,000 of labourers and industrials, with its scores of great and populous cities, has had terrible experiences of the social and economic consequences of plague and pestilence. Unfortunately India has recently been the home of great epidemics. I have seen in past years the plague camps in Bombay, in Delhi, in Ahmedabad, in Poona, and in other scattered regions of my country. Even in my own province of Kathiawar I have seen the horrors of bubonic plague and of cholera. I know the aftermath of political, social and economic dangers and difficulties. Famine and pestilence are close allies, and both of them are bosom friends of political turmoil. India in the past has had many experiences of such dangers and difficulties, but we have countered and overcome them. Prompt, energetic, and skilful action has always conquered.

Gentlemen, we are faced with a great emergency, no less an emergency than in the case of Armenia—a chronic emergency, mark you, which not only affects, and affects vitally, the well-being of the peace of Europe now and hereafter, but also concerns, and concerns vividly, the honour and reputation of the League of Nations itself. To what are we pledged by the Treaty of Versailles and the Covenant? The nations of the world here assembled in your persons, Gentlemen, are solemnly and specifically pledged to endeavour to take steps in matters of international concern, for the prevention and control of disease. They are pledged to encourage and promote the success of all such efforts as are directed to the prevention of disease and the mitigation of the suffering of humanity throughout the world. Is not the condition of Eastern Europe a matter of international concern? Manifestly it is, assuredly it is. Is not there disease in Eastern Europe? Cannot we counter and prevent it? Is not there suffering in Eastern Europe? Cannot we mitigate it? I maintain we can prevent it and we can mitigate it, and it is our bounden duty to try our utmost to do so. We are faced with the prospect of a great emergency, one of the very kind which this League was created to meet. Let us examine the position in which we find ourselves. At the instance of the International Health Conference, surely a supreme authority, the Council of the League last May instructed the Typhus Commission to deal with what was clearly a great emergency and to frame a scheme of action. The Conference advised wisely. The Council decided wisely. The Commission carried out its instructions well. Everything is ready, but—and it is a great “but”—the absence of funds holds up that which alone in these matters counts, namely, effective action. As we have just heard, three appeals were issued by the Council of the Great Powers to all other nations strongly urging the responsibilities of all countries from the point of view of economic, humanitarian, and direct danger. These appeals up to the present time have, it is to be regretted, met with little response, and it is for this reason that the Council decided to refer this matter to this Assembly, and it is up to us to act. Poland in her fight against typhus is fighting for all Europe, and not only for herself. All Europe, at any rate, should stand by her. Better still would it be were all the nations of the world here assembled to join in and take their full share. Let us realise that if we act we shall be acting not only in kindness and humanity, but also according to our primary function, that is, to end war and clear the remnants of war—those remnants which the Treaty could not clear up. Though you can sign away the existence of hostilities, you cannot sign away their continuous consequences. Our duty bids us to clear them away, else we fail in the very object of our being. We must break this vicious circle, which is composed of economic disruption, social unrest, and disease: disease, social unrest, and economic disruption. The centre of this vicious circle is war and death. Break this circle and the centre must disappear.

Now let us ask ourselves what our specific task is. The specific necessity on the part of the Typhus Commission, and the associated Red Cross organisations, is to render into concrete reality, into effective operation, the excellent scheme which, thanks to equally excellent preparation, stands ready. Eastern Europe must be cleared and cleansed, especially Poland. Russia, we have just heard from the report, is sodden with disease. There is a great coming and going of infected persons. A barrier and a stable barrier of defence must be established. We must fend off the dreaded pestilence as the ancient Romans fended off the barbarian hordes beyond the Rhine. Remember, Gentlemen, what great plagues did in the history of the past. The plague in the time of Justinian destroyed a large part of civilised humanity and uprooted the settlement of the ancient world. Remember, again, the plague of the Middle Ages and the dire political, social and economic effects. Remember that in India in 1918, quite near to us in time, the influenza epidemic in a few months, nay, in an incredibly short time, destroyed ten million lives, no less than three times the population of the whole of Switzerland. We must erect a barrier; we must carry out the scheme—in fact, realise it. But in order that the scheme may be realised, and realised now, we must produce the necessary funds. Sir George Foster's Report cites the promises made, but unfortunately indicates that up to now but little has been done except by Siam. I am indeed glad to see the East at the front, at any rate in this. Surely those great countries and generous countries whose names appear in the report will remove their conditions and make good as early as possible their offers of aid. Conditional promises do not even cure an individual cold, much less do they control a widespread typhus epidemic. Therefore, for goodness sake, let us cease being hypothetical in face of such grave facts. But, although I may appear illogical and even inconsistent after what I have said, please permit me a little time within which to be hypothetical myself. I only heard of this matter four days ago, and you will all readily admit that in a task of such gigantic magnitude this is indeed short notice. Had I known before I left England perhaps it would have been possible for me to have done something substantial. As it is, my position is this:—On this Indian Delegation I represent the interests of the Ruling Princes of India, and as such I am unable to act in this matter without their previous sanction. But I will appeal to them as soon as I can. I will lay the matter fully, and with all the sympathy that I can command, before the Chamber of Princes which is shortly going to be opened, I think I am right in saying, in February next, and I trust and I hope and I sincerely believe that you will not be disappointed. I may also add that His Excellency the Viceroy of India is our President and he will also hear my appeal. Myself, I must frankly admit I am disappointed that I am unable to act in this matter to-day. I have in this matter no use for anything but action. I will do my best when and where I can, and as early as I can; but I must in my final word emphasise to this distinguished and powerful Assembly one thing, and one thing only: Whatever happens, let us act.

ANNEX 2.—*Speech delivered by Sir William Meyer, 15th December 1920, on his Report on the Traffic in Opium and other dangerous Drugs.*

I do not propose to read again the somewhat full Report that I submitted upon the question of opium and kindred drugs—for kindred drugs are also provided for in Article 23 (c) of the Convention. I do not propose to take up your time by reading that Report now. It is printed in English and French, and those who are interested in the matter have the opportunity of perusing it. I only want to make a few supplementary remarks. I would point out, in the first place, that The Hague Convention of 1911-12 sifted and expanded the preliminary conclusions that had been arrived at at Shanghai in 1909, and formulated them in definite and carefully conceived terms, marking a great step in advance. It indicated the precious principle of international co-operation, which is specially necessary in regard to opium and kindred drugs, since these, being of small compass and great value, can be very easily smuggled. The country, therefore, which desires to keep out opium, for example, in order to do so effectively must obtain the assistance of those countries where opium is produced. This has been laid down definitely by Article 3 of The Hague Convention, which says that where a country has forbidden the import of opium, opium-producing countries shall not permit the export of opium to that country. Similarly, too, if a country, though not absolutely forbidding the import of opium, only allows it under very severe restrictions, the producing countries, in allowing their opium to be exported, are bound to see that these restrictions are complied with.

Then The Hague Convention laid down certain very important and valuable rules as regards the future of the Opium Traffic. I will just give a summary of these from my Report:—

(1) *Raw Opium*.—The contracting Powers undertake to enact laws for the control of the production and distribution of raw opium and to limit the number of ports through which export and import shall be permitted.

(2) *Prepared Opium* (which is used, for example, for smoking).—The contracting Powers will take measures for the gradual and effective suppression of the manufacture of, internal trade in, and use of prepared opium. They will prohibit the import and export of prepared opium, except as regards those Powers which are not ready to prohibit it immediately; and even they undertake strictly to regulate the traffic and prohibit it as soon as possible.

(3) *Medicinal Opium, Morphine, Cocaine, Heroin, etc.*—The contracting Powers will enact pharmacy laws to confine the manufacture, sale and use of such drugs to medicinal and legitimate purposes. They will co-operate with one another to prevent the use of these drugs for any other purposes. Every effort will be taken to regulate the import and export, and to prevent these drugs coming into the possession of unauthorised persons; they will not be exported from the territories of one contracting Power to those of another, except when consigned to persons furnished with the licences or permits provided for by the laws or regulations of the importing countries.

A special chapter is devoted to the trade with China, in which the contracting Powers undertake to reduce *pari passu* with measures taken by China itself the opium shops and dens in foreign territories, concessions and settlements in China; and to prevent smuggling and illegal use of postal facilities in that country.

The contracting Powers were to examine the possibility of making it a penal offence to be found in illegal possession of opium and kindred drugs.

These measures, when they could be carried out, marked an enormous step in advance. There was, however, a serious difficulty in the carrying out of the Convention. The Conference which had been summoned by the United States Government, contained representatives of only 12 Powers, and in order to make the arrangements which it had approved really effective, it was necessary to obtain a world-assent; otherwise, for example, if Germany decided to put severe restrictions on the manufacture and export of cocaine and Austria did not adhere to the Convention, the cocaine producers in Germany could simply move across the border into Austria. To obtain such world-assent gave rise to many difficulties and required the holding of two supplementary Conferences, and when these difficulties were, as was hoped, in the way of being surmounted, war broke out and delayed everything for five years. It had, however, this compensation, that by the Treaty of Versailles and the corresponding Articles in other Treaties, signatories which had not already adhered to The Hague Convention undertook the obligation to do so. We have thus practically solved the difficulty of world co-operation, the only Powers still outside being Soviet Russia and other States which have arisen from the ruins of the old Russian Empire. These States are at present occupied with other matters; but Finland, at any rate, may be expected to adhere to the Opium Convention on her entry into the League.

I would remark, however, that certain States, which have already adhered to the Convention, either directly or through signing Peace Treaties, have not yet ratified. Among these are Switzerland, Chile, Salvador, Colombia, and Paraguay, and I would ask my colleagues from these States to influence their Governments to obtain speedy ratification, and Turkey, having not yet ratified the Treaty of Sèvres, has not yet ratified the Convention.

We have, however, on the whole every reason to be satisfied with the amount of world adhesion obtained, but now a good deal more remains to be done in other directions. In most States the full carrying out of the obligations imposed by the Convention will require the passing of fresh laws and regulations or expansion of some already existing, and it is necessary that this work should be taken in hand as soon as possible. I have already indicated in my Report what has been done in this connection in Great Britain and the British Empire generally. Article 21 of the Convention provided that all information in respect of such laws and regulations should be handed to the Netherlands Government, as also all necessary statistical information. Article 24 also provided that the Netherlands Government should act as intermediary in dealing with any questions that might arise hereafter as to the application of the terms of the Convention. Here, then, we have the main point on which the Netherlands Government requests relief from the arduous and honourable task which has hitherto been imposed on it. It is now for the League to act with reference to Articles 23 (c) and 24 of the Covenant. As to that I think there will be no doubt.

There remains, however, the question of how the League can best carry out its functions which it will take over. As I said in my Report, there are two alternatives:—

- (1) That it should work through the Council and the Secretariat;
- (2) That the Council and the Secretariat should be assisted by an Advisory Committee, consisting of the Members most closely interested in the opium traffic.

After full discussion in No. 2 Committee, the latter alternative was adopted, and the Resolution proposed by my right hon. friend, Mr. Barnes, was carried, subject to certain minor amendments. That Resolution has already been read to you by the Chairman of No. 2 Committee, so I need not read it again. It is the Resolution which you are asked to pass to-day. I venture to think that in passing this Resolution, making the League directly responsible for the carrying out of the beneficent Articles of The Hague Convention, we shall have taken a further step in advance in dealing with the pernicious traffic in opium and drugs, and shall have shown our earnest desire to co-operate in getting this traffic reduced to the smallest possible compass.

ANNEX 3.—Speech delivered by Sir William Meyer, 15th December 1920, in the Debate on India's Claim to Representation on the Governing Body of the International Labour Office.

I do not propose to move any Amendment or Resolution on this subject, but my Government wishes the Assembly to be in possession of the reasons for which India has felt and still feels aggrieved by her exclusion from the eight Powers of chief industrial importance contemplated in Article 393 of the Treaty of Versailles. A note stating the grounds on which India claims this position has been circulated as Assembly Document No. 226, and I need only add a very few remarks to the points there set forth.

The eight chief industrial Powers were to be selected by the Council of the League, but as that Council was not in existence at the time that the Washington Conference met towards the close of last year, the selection of the eight States of chief industrial importance was left to a special Organising Committee which contained representatives of the United States, Great Britain, France, Italy, Japan, Belgium and Switzerland. It is a somewhat remarkable coincidence that this Committee proposed all the seven States to which they collectively belonged as great industrial Powers. The eighth selected was Germany. India has never been able to understand on what valid principles some of the selections were made. For instance, why was Switzerland, whose population is about one-hundredth part of that of India, preferred to her? When the United States of America decided not to be for the present on the Governing Body of the Labour Office, Denmark was put in to replace her,—a selection which, with all respect to Denmark, was still less intelligible to India. It may be added that when it was a question of contribution to the funds of the League, India's importance was at once recognised. She was put into the first class of assesses, while Belgium and Switzerland were relegated to the third and Denmark to the fourth.

Among the documents which have already been furnished to the Assembly, are statistics which show India's pre-eminent claim, and I would merely mention here a few salient figures illustrating her industrial importance:—

Excluding peasant proprietors, there are nearly 28,000,000 agricultural workers who come within the scope of the International Labour Office. She has 141,000 maritime workers, lascars, etc., and in this respect comes second only to the United Kingdom. She has over 20,000,000 workers in industries, including cottage industries (in which the "industrials" of Japan are also largely employed), mining and transport. Factories, mines and railways provide employment for nearly 2,000,000 people. The mileage of her railway system is in excess of every country except the United States. Her export of manufactured goods, in itself very considerable, would be much greater were it not for the huge size of the country and the resultant large home consumption. The export test, of course, favours countries whose home area is relatively small.

The results of the actual constitution of the Governing Body were that out of a total of 24 Members, it included no less than 20 representatives of European countries. I think that it will be admitted that this was a very unsatisfactory allocation considering that the Governing Body has to deal with questions of world-wide interest materially affecting non-European countries. In fact, the Conference at Washington last year felt this so strongly that it passed a Resolution expressing its disapproval on this ground of the composition of the Governing Body.

The Council of the League, having now come into definite existence, India lodged a protest with it, the result of which is set forth in the Council Report of 5th August 1920. The Council expressed itself as fully conscious (to use its own words) of the magnitude of India's industrial output, the large number of her population engaged in industrial pursuits, the international importance of her overseas trade, and other circumstances which might be urged in favour of her claim to be one of the eight States of chief industrial importance. The Council considered itself, however, precluded from taking any immediate action in support of India's claim, for reasons set forth in its Report of 5th August last, already referred to. I will not discuss these in detail now, but will merely say that they seem to India to savour too much of technical pleading, as, for instance, that the Council was not in existence when the Governing Body was organised; that the composition of the Governing Body was endorsed by the Conference at Washington—I have already indicated that the Conference passed what may be called a vote of censure on the composition of the Governing Body—that recognition of India's claim would involve the elimination of some other State; that the Council did not know the principles on which the Organising Committee had acted and found some difficulty as to the exact meaning of the words "industrial importance." Surely it is not more difficult to come to a conclusion as to what are the most important industrial Powers of the world than to specify what are the Great Powers with reference to other matters.

The Council, therefore, held that the existing Governing Body should sit on till 1922, and in the meantime proposed to investigate the methods of coming to a decision on the "industrial importance" question, and directed the Secretary-General to take this matter up with the International Labour Office.

It may be urged that, after all, consideration of India's claim was only delayed for two years more, but it is just those early years that are of importance having regard to the fact that principles will be evolved and precedents created, and that a great Oriental country with its special labour conditions, deserves special consideration.

One more point I may mention, having regard to the penultimate paragraph of Article 4 of the Covenant, which states that any Member of the League not represented on the Council should be invited to send a Representative to sit as a Member at any meeting for the consideration of matters specially affecting the interests of that Member. It seems to me that India ought to have been asked to send a special Representative to the Council Meeting which resulted in the Report of 5th August.

I quite realise that, although the decision arrived at has been a bitter disappointment to India and to her intellectual and industrial classes, who are apt to look suspiciously on procedure which in their view subordinates the interests of Asia to Europe, Committee No. 2 were technically justified in holding that the Assembly was not in a position to over-ride the Council's decision. We had not, in fact, asked for this. What we did hope was that a sympathetic reception of our representations might nevertheless lead to some solution which would have been welcomed by us. For instance, the resignation of the Governing Body on the ground that it had been selected, if I may say so, in a somewhat irregular way, and its replacement at the Conference of 1921 by a body which would be more regularly constituted under the Council's decision as to what the eight industrial Powers are, would have effected a satisfactory solution.

It was for these reasons that my Government desired that the matter should be ventilated before the Assembly, and the fact that the claim was included in the Assembly's Agenda seemed to us to show that it was regarded as *prima facie* suitable for discussion. But as I have said, though disappointed with the decision of Committee No. 2, we must for the moment endure it. We can only wish that the Governing Body were constituted in a manner which would render it more capable of giving full consideration not merely to India's interests but, generally, to those of countries outside Europe.

ANNEX 4.—*Speech delivered by Sir Ali Imam, 15th December 1920, in the Debate on India's Claim to Representation on the Governing Body of the International Labour Office.*

The hour is late, and I should be guilty of trespassing on the attention of the Assembly if I were to say one word more than is necessary. The case has been so admirably put before the Assembly by my colleague Sir William Meyer that it is not necessary for me to point out the importance of India from the point of view of labour. With regard to a country where we have got over 60,000,000 of people employed in labour, if a voice is raised for representation on the Governing Body of the International Labour Bureau I suppose that there is some justification for it. But there is one point in connection with this that I would like to mention, and that is this. I heard it said, and I think that there is a certain amount of impression abroad, that because India is within the British Empire, therefore her membership of that Empire is sufficient for the protection of her interests. I would like to mention in this Assembly that so far as fiscal, economic and

labour conditions are concerned there is not always necessarily identity between her interests and the interests of the rest of the British Empire. Therefore there is an additional reason why India should be given a certain amount of recognition. I know that the Assembly cannot decide this question: perhaps the Assembly cannot deal with this question, but when a voice is raised here that voice is heard in quarters where the appeal can be answered. Therefore I entirely support the views which have been put forward by my colleague Sir William Meyer.

ANNEX 5.—*Speech prepared by His Highness the Maharaja Jam Saheb of Nawanagar and delivered on his behalf (owing to His Highness's absence through illness) by Sir Ali Imam, 17th December 1920, in the Debate on the Staff and Organisation of the Secretariat.*

Mr. President, my colleague, His Highness the Maharaja of Nawanagar, having unfortunately fallen ill, I propose at his request to read to you the text of his speech which he intended to deliver in connection with the questions now before the Assembly. His Highness says this:—

Mr. President and Gentlemen, India has been prominent in criticism of the finances of the League, but, Gentlemen, please understand that from our point of view, what we most hope for is a sound system of external control over the spending departments. Why? Because, first, such control is the strongest means of winning confidence in our economical working, and, secondly, and above all, because such control defends us entirely from unjust criticism.

In our Indian finance we have first the Budget, second the Treasury Officers. Now, in the League of Nations we have, or shall have hereafter, the Budget, but I see no equivalent in the League of Nations of the Treasury check and control. Please, however, note this. In the League of Nations control of expenditure is specially and peculiarly necessary. Why? I will tell you. One strong motive for economy present in a State is absent in the League. In a State expenditure is reflected, automatically and sensibly, in taxation. The people and the Government feel expenditure acutely, because of taxation and political resentment of taxation. Taxation touches the spot.

In the Secretariat here this motive for economy is absent. There is no taxation on the League of Nations itself. The burden is transferred, far away, to the constituent States.

Now, it is quite certain that if our expenditure is not well controlled, if the method of that control is not patently effective and fully visible, the League will become unpopular in the constituent States. Therefore, for the sake of the League itself we must have well-proved and demonstrable control.

I further hold it as of paramount importance that the organ of control should be appointed by the Assembly. First, because the Assembly contains all the Members and the Council does not. Secondly, because the Council, which at present is supposed to exercise certain supervision, is too much occupied with other matters, and also, I would remark, is too closely connected—inevitably so—with the Secretariat.

It might in particular be a function, among others, of such an organ as I suggest, to sanction all new expenditure or reappropriation, either in excess of prescribed amounts or as between certain scheduled heads, provided, of course, that the Assembly had not already laid down a total which is not to be exceeded.

Another function I would allot to the organ is the framing and execution of a set of rules equivalent to our Civil Service Regulations and Code in India. These rules control all expenditure that can be mechanically controlled. They serve not only as an effective cure for leakages in ordinary departmental expenditure, but also, in a large measure—and this is of great value—as a system of pre-audit.

And such a system of pre-audit is of much assistance in framing an accurate budget. In general I would like to see this organ exercise the Treasury check and control as we know it in India.

This proposed organ or committee of three financial experts would have to sit permanently, and it would involve a certain cost. But I think the cost would be amply justified by results. The Treasury Officers are always well worth their cost. *Crede experto.*

I do make suggestions as to details. I put forward the idea of such a committee as one means of giving effect to the principle of control by the Assembly.

The underlying and relevant motive of my proposal is this:—I have a strong and definite objection to the Secretary-General or anyone else being in a position of uncontrolled freedom or of freedom merely nominally controlled, in regard to expenditure. Such a position is not fair to him and it is not fair to public opinion. And I consider that control by the Council—which has so much other work to do and necessarily is not technically expert—at best is in danger of being intermittent and even cursory, and at worst may become nominal and illusory.

After all, the money we spend is derived from all Members of the League—and the Assembly alone represents all Members of the League.

I feel that much depends upon a full and clear appreciation of this important truth.

One final point—a point on which I would lay great stress. Throughout our discussions in Committee 4 there ran an ever-recurring note, a kind of Wagnerian refrain.

We kept on saying—we kept on excusing ourselves by saying that, after all we are as yet in the chrysalis stage.

But—we keep on hoping, I take it, that we shall not be ephemeral. We distinctly hope not to emerge as butterflies.

Now, if we do not, here and now, take a determined stand on radical matters, such as financial control by the Assembly—then, I say, we risk failure and even dissolution.

ANNEX 6.—*Speech delivered by Sir Ali Imam, 17th December 1920, in the Debate on the Staff and Organisation of the Secretariat.*

I entirely agree with the views that my colleague, the Maharaja, has put forward in the speech I have just read out to the Assembly: in fact, the Indian point of view in regard to this matter is so strong that an amendment on behalf of the Indian Delegation has been taken. I trust that when the consideration of that amendment is taken up the view that there should be strong control by the Assembly of the finances of the League will be borne in mind. The Indian Delegation feels strongly on the subject, not only because in principle it is absolutely right that finances should be under control, but because so far—I do not know what will happen hereafter—for the purposes of payment India has been regarded as a first-class Power, although she may not have been regarded in other respects as such. There is one remark I should like to make with reference to the observation made by Sir James Allen in regard to the representation of various nationalities on the Secretariat. I entirely endorse the view put forward by Sir James, and congratulate the Secretary-General and the authorities of the Secretariat on giving due consideration to the claims of various nationalities, but I regret to find that in the whole long list of appointments made to the Secretariat I have failed to discover a single Indian. I feel sure that when greater publicity is given to the fact that no Indian is at present serving on the Secretariat or in a post in the patronage of the Assembly, this will be considered as a fair ground in filling appointments in the future.

ANNEX 7.—*Speech delivered by Sir William Meyer, 17th December 1920, in the Debate on the League's Budgets.*

I desire in the first place to congratulate my right hon. friend Sir George Foster on the splendid speech which he delivered in introducing the Report of Committee No. 4. It showed the great business acumen which one would expect from a distinguished statesman, and closed with a note of rare eloquence. The Report itself is also an exceedingly useful one, and Committee No. 4 deserves much credit for having dealt in such an excellent way with the very unsatisfactory position in which they find themselves. I had not an opportunity myself of sitting on that Committee, but I was in constant contact with my friend the Maharaja of Nawanganar, who did very useful work there, and whose absence to-day Sir George Foster has so feelingly deplored. Had he been here it would have been for him to speak on many of the points which I have now to take up in his absence. It is stated in the Report that the Committee were not satisfied with the way in which the Budget estimates had originally been presented, and it is quite right that they should have stated such dissatisfaction. The Secretariat and the Labour Organisation appear to have thought at first that the Assembly's endorsement of the Budget was a mere formality, and adequate information was not furnished in the first instance. So I have understood from my friend the Maharaja. There was considerable difficulty found in getting the requisite information, such as that relating to establishments. The Labour Office again absolutely failed at the outset to give any details of the very large sum of 7,000,000 gold francs which we are asked to vote, and I see to my surprise that there are no such details in the Report yet. I have received through the courtesy of Sir George Foster a summary of details which I understand are provisionally put forward by the Director-General because the governing body have not yet passed them. But I would ask that this summary, on which I shall comment presently, should be put on the record. There was also an incident referred to at the top of page 3 of the Report, namely, the Secretary-General's appropriation of the balance for a working capital fund without previous approval. Things are better now, and it has been distinctly recognised by Committee No. 1 in dealing with the Rules of Procedure that this Assembly is supreme in matters of finance. The proceedings in Committee No. 4 in its frequent meetings and the Report that has been submitted have shown that the Committee was determined to get to the root of things as far as it could. If I may condense the gist of the Report and of Sir George Foster's speech into a few words and read between the lines I should say that the meaning was: "We have found a very unsatisfactory state of things; we have taken steps to prevent their recurrence and we hope that next year matters will be much better."

I may say here that I fully associate myself with Sir George Foster's claim for economy, and also with the corollary that true economy does not consist in merely cutting down estimates; it consists in getting the best value for your money. I also entirely concur with the warning he gave that the purse of the League is not illimitable; it has to be supplied by a number of States some of whom are not at all in good financial condition, and it is necessary therefore to go slowly and very often to abstain from voting things which might themselves be desirable because you would do harm in that way by making the League unpopular, as unduly expensive. The representatives of the British Empire especially acted on Committee No. 4, and it is right that they should have done, for I do not think it is generally realised that under the present allocation the British Empire, taken in its widest sense, pays over a quarter of the total expenses of the League.

I wish to pay my humble tribute to the Report of the Committee. With reference to the amendments which we tabled which are now before the Assembly, I may say that those amendments were drawn up before we had had the advantage of hearing Sir George Foster's speech to-day, and before the final version of his Report, and that now it will be possible for me to withdraw several of them. I entirely associate myself with the remarks just made by Sir James Allen as to salaries. We owe a great deal to the Secretariat. They have worked unremittingly and ungrudgingly. They have given us of their best. They have spared themselves in no way. I can imagine the sigh of relief with which they will hail the breaking up of this Assembly. But it is possible to pay too much even for a first-class article. I cannot help thinking that the original salaries were fixed at a time when people's thoughts were still occupied with war finance, when people were thinking in scores of millions and when 100,000 here or 200,000 there did not greatly matter. You have the reaction now. It is being felt in every part of the world—the desire to cut down expenditure and not lavishly to promote it. That was one of the points which we felt very strongly about. I shall deal, however, with this matter in regard to one of my amendments. We also had the Labour Organisation salaries. They, too, are

very large. In a very ingenious memorandum by M. Albert Thomas which I had the pleasure of reading, he let us into the secret of how the salaries were fixed. He said: "We had to get people from Great Britain and America and Canada. These are countries which are notoriously extravagant in the methods of the payment of their officials; but we had to get some men from these countries and we had therefore to pay them what they would have got in their native lands, and more also, for expatriation. Then we had to draw people from other countries whose pay as Civil Servants would be far less than the pay of those in the extravagant Anglo-Saxon countries, people from Latin countries, and others. But," says M. Thomas, "although the market value of those people would have been much lower, it would have been very undesirable to make differences. We must, therefore, give them also the same pay as if they had been drawn from Canada and Great Britain and Australia." That illustrates one of the dangers of an International Organisation.

Now I will take my first amendment. I need not read my amendments because you have all got them in your hands. In view of the explanation given by Sir George Foster, I withdraw that amendment. I withdraw the third amendment also.

I come to the fourth amendment, which proposed a reduction of expenditure. Our object in bringing that forward was to call attention to the large expenses which were being incurred in salaries, and of which I spoke just now. Having regard to the fact that the Report proposes the setting up of this Committee, and having regard to the supplementary fact that it was not stated in the first edition of the Report that the Assembly specifically reserves to itself, after having obtained the Report of this Committee, the right to cut down, if necessary, the existing scales of salaries, and not desiring to provoke any regrettable differences of opinion in this Assembly I withdraw No. 4 also. We now come to No. 5. No. 5 was passed at my instance in Committee No. 2 as a means of conciliation with the Canadian Delegation, who, it will be remembered, had made on the floor of this House some objections, partly on the matter of principle and partly in regard to expense, with reference to the Technical Organisations dealt with in the Report of Committee No. 2. The Canadian Delegation professed themselves satisfied in the matter of expense with this Resolution that Committee No. 2 passed at my instance. Having regard to what Sir George Foster said, and observing that he says he has put something in the Committee's Report to the same effect, I do not press No. 5 either.

I now come to No. 6. That is a very important Resolution. It raises an important question of principle, which was emphasised by His Highness the Maharaja in the speech made for him by Sir Ali Imam this morning. We welcome the appointment of the Special Committee that the Report proposes to set up; but we hold that that is not enough. It is not enough to have an *ad hoc* Committee; but you must have some means of definite financial control sitting constantly, corresponding to the control exercised by the Finance Ministry of every country in regard to expenditure. Without that control every department, if we may compare the League to a Government Department for a moment, will soon become extravagant. I know that it may be said that the Council has control; but, as the Maharaja observed, the Council is very much occupied with other matters. On the same principle, therefore, I maintain Resolution No. 6, but I will withdraw it for this year. I am satisfied with one thing at a time, and I am satisfied with the great advance in the way of adequate control that has been obtained through Sir George Foster's Report and by means of his explanations. Therefore, I repeat that while I entirely hold to the principle of No. 6 as a matter of expediency I will withdraw it.

Now I will come back to No. 2. That I reserved. It is as follows:—

"That with reference to recommendation (1) attached to the Committee's second Resolution, the Special Committee to be appointed to consider modifications in the Covenant should also consider what steps should be taken with reference to States which have not paid their quotas within a specified period."

Sir George Foster referred to a State which he said had played a prominent part in the League, but which had not paid its contribution.

That must be remedied. Let us compare the League for a moment to a club; every well-organised men's club has a rule that members who deliberately abstain from paying subscriptions shall be suspended, and if they continue contumacious they shall be expelled. The object of my amendment is to ask the Committee, which is being set up to consider modifications in the Covenant, at the same time to consider what steps should be taken to deal with perpetual defaulters. One method suggested to me is that such States should not be eligible to send their representatives to serve on special Committees or to sit in the Assembly.

Now I come to No. 7. I think one of the greatest mistakes of the Covenant was this attachment of the expenses of the League to the Postal Union. The Postal Union is a relatively small affair; its total expenses now do not exceed 300,000 francs a year, while ours run into millions. I think the proposal made is a waste of time.

That, Mr. President, is all I have to say, and you will see that out of my seven children I have only two left, and I desire that the arguments with regard to those two shall be taken into consideration by the Assembly.

APPENDIX V.

Miscellaneous Annexes.

ANNEX 1.—*Rules of Procedure of the Assembly*

Rule 1.—1. The Assembly shall meet in General Session every year, at the seat of the League of Nations, commencing on the first Monday in September.

2. Sessions may also be held at such times as the Assembly at a previous meeting decides, and at such times as the Council, by a majority vote, decides.

3. If a Member of the League considers a Session to be desirable, it may request the Secretary-General to summon a Special Session of the Assembly. The Secretary-General shall thereupon inform the other Members of the League of the request, and enquire whether they concur in it. If within a period of one month from the date of the communication of the Secretary-General, a majority of the Members concur in the request, a Special Session of the Assembly shall be summoned.

Rule 2.—The Sessions of the Assembly shall be held at the seat of the League, or, in exceptional circumstances, at such place as is designated by the Assembly or by a majority of the Council, or approved by a majority of the Members of the League.

Rule 3.—1. The Sessions of the Assembly shall be summoned by the President of the Council, acting through the Secretary-General.

2. The summons shall be addressed to the Members of the League not less than four months before the date fixed for the opening of the Session. In exceptional circumstances, however, the Council, by a majority vote, may sanction a shorter period.

3. Nothing contained in para. 2 of this Rule shall affect the provisions, concerning special cases, contained in the Covenant.

Rule 4.—1. The agenda shall be drawn up by the Secretary-General with the approval of the President of the Council. The complete agenda shall be circulated as nearly as possible four months before the date fixed for the opening of the Session.

2. The agenda of a General Session shall include :—

- (a) A report upon the work of the Council since the last Session ;
- (b) A report by the Secretary-General upon the work of the Secretariat and upon the measures taken to execute the decisions of the Assembly ;
- (c) All items whose inclusion has been ordered by the Assembly at a previous Session ;
- (d) All items proposed by the Council ;
- (e) All items proposed by a Member of the League ; and
- (f) The Budget for the next fiscal period, and the report on the accounts of the last fiscal period.

3. Any Member of the League may, at least one month before the date fixed for the opening of the Session, request the inclusion of additional items in the agenda. Such items shall be placed on a supplementary list, which shall be circulated to the Members of the League at least three weeks before the date fixed for the opening of the Session. The Assembly shall decide whether items on the supplementary list shall be included in the agenda of the Session.

4. The Assembly may in exceptional circumstances place additional items on the agenda ; but all consideration of such items shall, unless otherwise ordered by a two-thirds majority of the Assembly, be postponed until four days after they have been placed on the agenda, and until a committee has reported upon them.

Rule 5.—1. Each Member shall communicate to the Secretary-General, if possible, before the date fixed for the opening of the Session, the names of its Representatives, of whom there shall be not more than three. The names of Substitute-Representatives may be added.

2. Each Representative shall, as soon as possible, and preferably before the opening of the Session, present his credentials to the Secretary-General.

3. A committee of eight members for the examination of the credentials shall be elected by the Assembly by secret ballot. The Committee shall report without delay.

4. Any Representative to whose admission objection has been made shall sit provisionally with the same rights as other Representatives, unless the Assembly decides otherwise.

Rule 6.—1. In addition to the Substitute-Representatives mentioned in para. 1 of Rule 5, the Representatives of a Member of the League attending the Assembly, acting together as a Delegation, may appoint substitutes. Any such appointment shall be communicated in writing to the President.

2. A Substitute-Representative appointed by a Member of the League may take the place of a Representative without nomination by the Representatives.

3. A Substitute-Representative or substitute may take the place of a Representative who is absent from a meeting of the Assembly, or is temporarily prevented from taking part in its deliberations, but if the Representative is present at the meeting the Substitute-Representative or substitute is only entitled to assist him.

4. A Delegation may appoint for service on a committee a deputy or technical adviser other than those referred to in the above paragraphs of this Rule; but a deputy or adviser so appointed shall not be eligible for appointment as Chairman or Rapporteur, or for a seat in the Assembly.

Rule 7.—1. The officers of the Assembly shall consist of a President and of six Vice-Presidents, together with the Chairmen of the main Committees of the Assembly, who shall be *ex officio* Vice-Presidents of the Assembly. These officers shall form the General Committee.

2. The President and the six Vice-Presidents shall be elected at the beginning of each Session.

3. Until the election of the President, the President of the Council shall act as President of the Assembly.

Rule 8.—1. The President shall announce the opening, suspension and adjournment of the meetings of the Assembly, direct the work of the Assembly, ensure the observance of the Rules of Procedure, accord the right to address the Assembly, declare the debates to be closed, put questions to the vote, and announce the result of the voting.

2. In the general direction of the work of the Assembly, in the constitution of such committees as the Assembly decides to create, in deciding on the communications to be made to the Assembly, in the framing of the agenda for each meeting, and in the determination of the order of priority for its various items, the President shall be assisted by the General Committee.

Rule 9.—1. The Secretary-General shall be responsible for the organisation of the Secretariat of the Assembly and of the Secretariat of any committees set up by the Assembly.

2. The Secretary-General may be assisted or replaced at the meetings of the Assembly by a deputy or deputies. The Secretary-General, or one of his deputies, may at any time, on the invitation of the President, bring before the Assembly reports concerning any question which is being considered by the Assembly, and may be invited by the President to make verbal communications concerning any question under consideration.

Rule 10.—1. It shall be the duty of the Secretariat, *inter alia*, to receive, print, circulate and translate documents, reports and resolutions; to translate speeches made at the meetings; to draft, print and circulate the Minutes of the Session; to have the custody and proper preservation of the documents in the archives of the Assembly; to publish the reports of the meetings; and generally, to perform all other work which the Assembly thinks fit to entrust to it.

2. All documents emanating from the Assembly shall be circulated to the Governments of the Members of the League.

Rule 11.—1. The public shall be admitted to the plenary meetings of the Assembly, by cards distributed by the Secretary-General.

2. The Assembly may decide that particular meetings shall be private.

3. All decisions of the Assembly upon items on the agenda, which have been taken at a private meeting, shall be announced at a public meeting of the Assembly.

Rule 12.—A list of the attendance at each meeting of the Assembly shall be kept by the Secretariat.

Rule 13.—At the beginning of each meeting the President shall present to the Assembly all communications addressed to the Assembly or to the League, the importance of which appears to him to warrant such action.

Rule 14.—1. The Assembly shall establish such committees as it thinks fit, for the consideration of the items on the agenda. Items of the same nature will be referred to the same committee.

2. The Assembly shall not decide items on the agenda in full meeting until the report of a committee upon them has been presented and circulated, unless the Assembly itself, by a two-thirds majority, determines otherwise.

3. Each Delegation may designate one member, and may nominate technical advisers for each committee.

4. Each committee shall appoint its Chairman and Rapporteur.

5. Each committee may appoint sub-committees, which shall elect their own officers.

6. Each committee shall meet in private unless it decides otherwise. It shall keep a Register of its discussions, and Minutes, which shall be published at the earliest possible date, but not until they have been approved by the committee. They may at any time be consulted by any member of the Assembly.

7. Every Representative shall have the right to place before any committee any communication which he considers should be made to it, but no Representative may, without special leave from the Chairman, speak at a meeting of any committee of which he is not a member.

8. The Secretary-General or his deputies may make to any committee or sub-committee any report or verbal communication which he or they may consider desirable.

Rule 15.—1. No Representative may address the Assembly without having previously obtained the permission of the President.

2. Speakers shall be called upon in the order in which they have signified their desire to speak. The Chairman and the Rapporteur of a committee may be accorded precedence for the purpose of defending or explaining the conclusions arrived at by their committee. The same principle shall apply to any member of the Council.

3. The President may call a speaker to order if his remarks are not relevant to the subject under discussion. If necessary he may direct the speaker to resume his seat.

4. When a motion is under discussion, a Representative may rise to a point of order, and such point of order shall be immediately decided by the President in accordance with the Rules of Procedure.

5. The Assembly may limit the time allowed to each speaker.

Rule 16.—1. Speeches in French shall be summarised in English, and *vice versa*, by an interpreter belonging to the Secretariat.

2. A Representative speaking in another language shall provide for the translation of his speech into one of these two languages.

3. All documents, resolutions and reports circulated by the President or the Secretariat shall be rendered in both French and English.

4. Any Representative may have documents circulated in a language other than French or English, but the Secretariat will not be responsible for their translation or printing.

5. Any Member of the League, or any group of Members, may require that all documents and publications of the League shall be regularly translated into, and printed and circulated in a language other than French and English, but shall in such case defray all the necessary expenses.

Rule 17.—1. Resolutions, amendments and motions must be introduced in writing and handed to the President. The President shall cause copies to be distributed to the Representatives.

2. As a general rule, no proposal shall be discussed or put to the vote at any meeting of the Assembly unless copies of it have been circulated to all Representatives not later than the day preceding the meeting.

3. The President may, however, permit the discussion and consideration of amendments, or of motions as to procedure, without previous circulation of copies.

Rule 18.—1. During the discussion of any question, any Representative may move the previous question or the adjournment. Any such motion shall have priority in the debate. In addition to the proposer of the motion, two Representatives may speak in favour of, and two against, the motion.

2. Parts of a proposal shall be voted on separately, if a Representative requests that the proposal be divided.

3. A Representative may at any time move the closure of the debate, whether any other Representative has signified his wish to speak or not. If application is made for permission to speak against the closure, it may be accorded to not more than two speakers.

4. The President shall take the sense of the Assembly on a motion for closure. If the Assembly decides in favour of the closure, the President shall declare the closure of the debate.

5. When a number of proposals are before the Assembly, the proposal furthest removed in substance from the principal one shall be voted on first.

6. If an amendment striking out part of a proposal is moved, the Assembly shall first vote of whether the words in question shall stand part of the proposal. If the decision is in the negative, the amendment shall then be put to the vote.

7. When an amendment adds to a proposal it shall be voted on first, and if it is adopted the amended proposal shall then be voted on.

Rule 19.—1. Except where otherwise expressly provided in the Covenant or by the terms of a treaty, decisions of the Assembly shall be taken by an unanimous vote of the Members of the League represented at the meeting.

2. All matters of procedure at a meeting of the Assembly, including the appointment of committees to investigate particular matters, shall be decided by a majority of the Members of the League represented at the meeting.

3. All decisions taken in virtue of these Rules shall be considered as matters of procedure.

4. A majority decision requires the affirmative votes of more than half of the Members of the League represented at the meeting.

5. For the purposes of this Rule, Representatives who abstain from voting shall be considered as not present.

Rule 20.—The Assembly shall vote by "Appel Nominal," except when the Members of the League represented at the meeting agree that the method of voting shall be by heads of Delegations rising in their seats, and except in the cases provided for in Rule 12. The "Appel Nominal" shall be taken in the following manner:—

The Delegation of each Member of the League represented at the meeting shall be provided with two voting tickets, on which the name of the country is written, one red and one blue, the former being "Aye," the latter "No." The voting tickets shall be deposited in an urn placed near the President's platform. When all the votes have been collected, the President shall declare the ballot closed, and the General Committee shall proceed to count the votes. The individual votes shall be communicated to the Assembly and the result shall be announced by the President.

Rule 21.—1. All decisions relating to individuals shall be taken by a secret ballot.

2. If, when one person only is to be selected, no one person obtains at the first ballot an absolute majority of votes, an entirely new ballot shall be taken; but on this occasion the voting shall be confined to the two candidates who obtained the largest number of votes at the first ballot. If there is at this ballot an equality of votes for the two candidates, the elder candidate shall be declared elected.

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

Rule 22.—In case of equality in any voting other than that referred to in Rule 21, in which a majority is required, a second vote shall be taken in the course of the next meeting; this meeting shall be held within 48 hours from the date on which the first vote was taken, and it shall be expressly mentioned on the agenda that a second vote will be taken on the matter in question. Unless there is at this subsequent meeting a majority in favour of the proposal, it shall be considered as lost.

Rule 23.—1. The President may declare a meeting to be adjourned or suspended, if a proposal for adjournment or suspension made by him does not meet with objection from the Assembly.

2. The President shall declare an adjournment or suspension of the meeting upon a vote to this effect by the Assembly.

Rule 24.—The General Committee, in cases where it deems it necessary, may revise the resolutions adopted by the Assembly, changing their form but not their substance. Any such changes shall be reported to the Assembly.

Rule 25.—The verbatim report of each meeting shall be drawn up by the Secretariat and submitted to the Assembly after approval by the President.

Rule 26.—The resolutions adopted by the Assembly shall be circulated by the Secretary-General to the Members of the League within 15 days after the termination of the Session.

Rule 27.—These Rules of Procedure shall apply to the proceedings of committees of the Assembly.

Rule 28.—These Rules of Procedure may be altered by a decision of the Assembly; but no such alteration shall be made except upon a majority vote of the Assembly, taken after a committee has reported on the proposed alteration.

ANNEX 2.—*Report of MM. Professeur Th. Madsen, Director of the State Serum Institute, Copenhagen; Le Sénateur Dr. Pottevin, Directeur adjoint de l'Office International d'Hygiène publique, Paris; Dr. F. Norman White, C.I.E., Medical Commissioner, Typhus Commission, League of Nations; invited by the Council of the League of Nations to proceed at once to Poland and to present in person a Report to the Assembly as to the exact position of the epidemic in Poland.*

Our Commission entrusted with the task of studying existing sanitary conditions in Poland with special reference to the prevalence of typhus fever and cholera arrived in Warsaw on the 1st and 4th of November.

In view of the limited time at our disposal anything in the nature of a comprehensive investigation was out of the question.

We had therefore to limit our enquiry to a small number of representative places, which we submitted to as full investigation as possible.

The two areas visited were the northern part of the eastern territories (as represented by the towns of Lida, Grodno and Wolkowysk) and Galicia, where we visited Lemberg, Zolkiew, Nadworna, Zuraki, Bohorodczany, Stanislawow, Cracow, Wadowice, Sucha and Zakopane. In both cases we travelled by railway to the chief centres, from which we motored to smaller towns and villages in the neighbourhood.

A resume of our observations concerning typhus fever and cholera respectively is given below.

I.—Typhus Fever.

The area visited in the northern part of the eastern territory is poor and has suffered heavily as a result of the war which has been waged there almost incessantly since 1914. The retreat of the Bolshevik forces had taken place only a few weeks before the time of our visit. The destruction of a large number of houses, especially in the villages, has brought about an almost incredible amount of overcrowding. In one place we saw the entire population of a village which had been completely destroyed, and which had formerly consisted of a hundred houses, herded together in a single building which was itself in an advanced state of disrepair.

Requisitions have impoverished the country. Information given us by the local authorities indicates that food reserves for the winter are non-existent. The number of horses and cattle are reduced to a quarter of the pre-war standard.

Strictly speaking, this part of the country has never possessed a sanitary organisation. Before the war there was no *zemstvos* in these districts, and the elements of organisation insufficient in number which had been created by the Polish Government had been evacuated or destroyed during the course of the recent military operations; at the time of our visit these were in course of reconstruction.

In spite of the impossibility of obtaining epidemiological statistical data of any value, it is known that typhus existed in endemic form in this part of the country. Although the time of our visit did not coincide with the season of maximum incidence of typhus fever, we saw sufficient to indicate that the disease is extremely widespread and of a severe type.

In the towns, hospitals that had only been re-opened a few days already contained typhus patients. At Grodno, for example, the epidemic hospital, which had been re-opened three weeks previously, contained 150 patients suffering from either typhus or relapsing fever, in addition to which a further 70 typhus patients were accommodated in an annexe.

In the villages, typhus cases were found in large numbers, sometimes in every house visited. On one occasion we found in a single house eight patients in various stages of the disease in addition to two bodies of persons who had died of typhus, one on the day of our visit, the other the previous evening.

In Eastern Galicia, as in the area described above, warlike operations, which have continued with slight intermissions since 1914 almost up to date, have been responsible for very extensive destruction of dwellings. The resulting conditions of poverty and overcrowding are specially favourable to the propagation of epidemic disease, notably typhus fever.

The sanitary organisation, evacuated or destroyed during the course of the recent campaign, is in process of reconstruction, but at the moment it is impossible to obtain statistical data regarding the present prevalence of typhus fever. As an example of the lack of information we may cite our experience at Zuraki. This small village in the Bohorodczany district had reported no cases of typhus to the sanitary authorities: all the same, half-an-hour's house to house inquiry in a portion of the village resulted in the discovery of two typhus patients in one house, three in another, five in a third, and in a fourth we found all the occupants convalescent from a recent attack of the disease.

At the present time typhus is not prevailing in Eastern Galicia in the acute form in which it prevailed last spring. Nevertheless, the disease is very widespread and we found cases in every place visited, though in most instances few in number. Before the war typhus fever was endemic in a few well-defined areas of Galicia: to-day the whole of Eastern Galicia must be regarded as an endemic focus of the disease.

The results of the personal observations that we have been able to make do not permit of an opinion as to the course of typhus fever in Poland or the dangers that are likely to accrue to other countries. Abundant information concerning these matters is contained in the publications of the Polish Ministry of Health; in the reports made in 1919 to the League of Red Cross Societies by M. M. Buchanan, Cummins, Castellani and Wisbeck, and in 1920 by Dr. Chodzko to the London Conference; in the reports of Médecin principal Gauthier, Director of the Health Service of the French Military Mission, &c.

Here we would direct attention to the fact that the year 1919 and 1920 were both characterised by extremely severe epidemics. The number of cases notified—it is hardly necessary to point out that such figures are only an approximation very much below the actual numbers—were most numerous in 1919 in the months of April and May, when 34,875 and 34,807 cases respectively were reported, and in 1920 in February, 27,984 cases.

In June 1920, the last month for which statistics are available, 3,550 cases were notified in Congress Poland, 1,795 in Western Galicia, and 5,850 in Eastern Galicia; these figures concern the civil population only. The incidence of the disease in the army of the interior varied in different cantonments between 0.01 and 0.60 per cent. (Lwow) with a mean incidence of 0.09 per cent. In prisoners' camps the typhus incidence amounted to 1.38 per cent.

The reports indicate that typhus is very unequally distributed in Poland. The north-western districts are practically free from the disease, as is also the district of Posen; the southern and eastern districts are most seriously affected.

We may conclude that though typhus may not exist at the present time in the form of an acute epidemic (the present is the season of low incidence of the disease), it is very widespread throughout large areas notably in the south and the east. The areas we visited are infected to a degree of which official documents give no indication.

It is impossible to frame a forecast of the future course of an epidemic of disease now endemic over wide areas, but our knowledge of the epidemiology of typhus enables us to foresee that seasonal outbreaks will continue to occur the gravity of which will be chiefly determined by all social and economic conditions which are likely to create a state of physical depression among the population submitted or exposed to infection. In any case its persistence institutes a permanent danger to the rest of Poland and for all other countries.

In countries with a high standard of personal hygiene there is not much to fear in the way of extensive outbreaks of typhus fever. But even in such countries there are groups of individuals and communities where lack of cleanliness presents all the conditions necessary for the spread of the disease. The report of the League of Red Cross Societies rightly calls attention to the recent epidemic in Holland as a case in point.

The eradication of typhus in the areas described appears to us therefore to be a question of international importance. Its continued prevalence constitutes a standing menace to other countries according to the intensity of the epidemic. Measures taken at the frontiers of other countries can diminish the danger but they cannot obviate it altogether.

The measures necessary for the eradication of the disease have been studied and defined, notably at the Conference in London.

The Polish Government are alive to the urgency of the work to be accomplished. The organisation that they have created to fight epidemic disease, notably typhus fever, is excellent and has already achieved results that do them much credit. But the material at their disposal is altogether inadequate for the intensive and extended campaign that it is necessary to wage without delay,

II.—Cholera.

At the end of September cholera appeared in territory reoccupied by the Polish forces in the neighbourhood of Lida and Grodno. Previously there had been a large incidence of this disease in Soviet Russia. Thus an official Soviet statement dated 30th August 1920, reported extensive prevalence of cholera in parts of Soviet territory adjacent to the Russo-Polish armistice line as well as in other parts of Russia. In the first six months of 1920, 5,675 cases of cholera were notified in Russia. By the middle of October 1920, soldiers and prisoners of war had carried infection to various parts of Poland. Up to date (17th November 1920) 21 foci of infection have been reported and new foci are still being discovered. In Poland proper reported cases number 299 in addition to which 119 carriers have been discovered. Of the 299 cases 30 were civilians; the great majority of the remainder were prisoners of war. In addition to the above, 461 cases of cholera have been notified in the eastern territory now under Polish military administration; of these 100 were civilians.

The occurrence of cholera cases in 21 widely separated places in Poland, their very high carrier rate, and the extremely defective nature of most of the water supplies combine to make the situation full of danger. An unpleasant fact in this connection is the very high incidence of enteric or typhoid fever now prevailing in most parts of Poland. Cholera and typhoid fever are propagated in a similar manner, the one to the other.

The Polish Health Administration is alive to the dangers of the situation; inoculation with a cholera vaccine is being widely carried out. The whole army and all the prisoners of war have now been inoculated as well as large numbers of the civil population.

On our tour of inspection we encountered cholera at Lida, Warsaw, Wadowice, and Zakopane.

At Wadowice we inspected the prisoners' camp. At the time of our visit there were 4,500 prisoners of war in very poor condition. The Polish authorities are obviously finding it extremely difficult to provide adequate food and clothing for their prisoners. There were 90 cholera cases in the prisoners' hospital at Wadowice as well as 80 cases of relapsing fever and 36 of typhus.

We are informed that there are 80,000 prisoners of war in Poland at the present time. Half of these are in prisoners' camp, the remainder being scattered about the country in working parties. The presence of this large number of prisoners of war with very enfeebled power of resistance to disease is a most unwelcome complication of the already sufficiently difficult health problems of Poland.

Conclusions.

We are of opinion that it is both necessary and urgent to afford effective material assistance to Poland in her struggle against epidemic disease, especially against typhus fever.

We recommend that the League of Nations render this assistance on the basis elaborated by the London Conference and by the Council Meeting at Rome.

DR. POTTEVIN.

TH. MADSEN.

F. NORMAN WHITE.

ANNEXURE 3.—*Statement by the Delegate of Portugal, M. de Andrade, on the Opium Question.*

Sir W. Meyer, the delegate of India, in his resumé of the history of the restrictions on the trade in opium and other narcotics, makes two alternative proposals for the Second Committee to choose from.

In the first, the control of the carrying out of the international agreement on opium would be entirely entrusted to the Council of the League of Nations, with the assistance of the Secretariat-General, reports being submitted to the Assembly from time to time.

In the second a special Advisory Committee would be appointed. Those Members of the League most interested in questions relating to opium would be represented on it, and would assist the Council and the Secretariat.

Mr. Barnes, delegate of the British Empire, appears from the Resolution which he has submitted to support this second proposal.

The Portuguese Delegation, which I have the honour to represent here, would agree to this Resolution if Mr. Barnes would add the name of Portugal to those of the countries specially indicated for representation on the Committee which it is proposed to form, seeing that it is one of the States specially interested in all decisions made relating to opium, owing to its Colonies of Macao, India, and the Far East.

Portugal was one of the first countries to ratify the Opium Convention on 9th August 1913, having registered its ratification at The Hague on 15th December of the same year, and has carried out all the engagements undertaken by those Conventions.

Owing to the geographical position of one of its colonies, situated near Hong Kong, Portugal concluded an agreement with Great Britain on 14th June 1913, in order, in view of the decisions of The Hague Convention, and taking into consideration the geographical position of the colonies Macao and Hong Kong, to establish on similar lines the control of opium within these territories in all matters relating to the restriction of consumption, sale and export of prepared opium, and the suppression of smuggling. This agreement was to be valid for 10 years; it could be cancelled at the end of five years and would remain in force unless cancelled by either party.

In spite of the restrictions adopted by The Hague Convention, the trade in opium is still carried on in several places in the East. In 1919, the Portuguese Government received proposals, which it did not accept, to grant an opium monopoly to Timor.

- The opium trade at Macao has considerably decreased within the last few years, which points to the efficacy of the results of the agreement between the Portuguese and British Governments. The Customs revenue reaches to-day a total scarcely more than half that of two years ago.

The Portuguese Government has therefore fulfilled, as completely as possible, the duties which it undertook in signing The Hague Convention, and is always prepared to put into force the restrictive measures which the League of Nations may consider necessary to achieve the humanitarian purpose in view, that is to say, the restriction or prohibition of trade in opium and other narcotics, a trade which, moreover, only exists in Portugal for medical purposes, and is only carried on in one of its colonies with very considerable restrictions. But, in a question which deeply affects the interests of this Colony, the solution proposed by Sir W. Meyer and supported by Mr. Barnes could only be accepted on the basis of its recognition as being one of the States interested, and as such to be represented on the Committee proposed in Mr. Barnes' Resolution.

I quite understand that this draft Resolution does not exclude from the Committee States not specially mentioned. It says :—

“It shall include representatives of the countries chiefly concerned, in particular, Holland, Great Britain, France, India, Japan, China, and shall, subject to the general directions of the Council, meet at such times as may be found desirable.”

But the Portuguese Delegation desires that there should be no room for doubt in the future, and that its country should be considered as particularly interested in the Resolution under discussion, which attitude is moreover entirely justified by the facts given above.

ANNEX 4.—Amendments proposed by the Indian Delegation to the Report on the budget submitted by Committee No. 4.

1. In the Secretariat Report it is stated that a sum of 1,725,000 gold francs allocated “for the creation of working capital or reserve” in the latter part of 1920 is being applied to other objects. The Assembly desires further information as to the actual diversion of expenditure thus effected.

2. That with reference to Recommendation (1) attached to the Committee's second Resolution, the special Committee to be appointed to consider modifications in the Covenant should also consider what steps should be taken with reference to States which have not paid their quotas within a specified period.

3. That in Recommendation (2) attached to the same Resolution the words “also to prepare in due course a draft Resolution for the Assembly upon this subject” shall be omitted.

4. That the total budget estimates for 1921 shall be reduced from 21,000,000 gold francs to 20,000,000 gold francs, this being effected by reducing 500,000 gold francs under the expenses of the Secretariat, and 500,000 gold francs under the expenses of the Labour Organisation.

5. That the total expenditure on Technical Organisations for (a) Economic and Financial organisation, (b) Transit, and (c) Health shall not exceed without the special and previous sanction of the Assembly the total sum of 2,000,000 gold francs, this provision including the cost of the Sections of the Secretariat primarily concerned with the work of these organisations. In this total it shall, as a special measure for the year 1921, be open to the Council to transfer expenditure from one head to another, while all sums not expended shall lapse at the close of the year.

Provided, however, that if no special Economic and Financial Conference is held in the year 1921, the total figure of 2,000,000 gold francs above referred to shall be reduced to 1,800,000 gold francs.

6. That the Council be asked to consider more adequate control of expenditure by the appointment of a Standing Committee, independent of the Secretariat and the Labour Organisation, to consider all items of fresh expenditure before these are submitted to the Council.

7. That the special Committee appointed to consider amendments to the Covenant shall also consider an amendment to Article 6 which shall make future contributions of States to the League expenditure depend not on the quotas adopted for the purpose of the Universal Postal Union, but on some independent principle, such as net revenue.

(Signed) W. S. MEYER.

ANNEX 5.—Extract from Speech by Viscount Ishii on 30th November 1920, at a plenary meeting of the Assembly of the League of Nations.

Japan had an opportunity, when the Covenant of the League of Nations was originally formulated, to declare her firm belief that equality before the law should be assured to all men irrespective of their nationality, race or religion; that that principle should be established so that the various merits and geniuses of mankind should be emancipated and given free play in the interests of human civilisation; that that principle of equal opportunity should be one of the bedrocks of the great Peace organisation, in order that all nationals owing allegiance to the League should, to a man, be loyally willing to make their sacrifice in blood and treasure when occasion arises, in order that all should know that the League is unflinchingly for right, not might; in order that a lasting peace should be doubly assured.

It was to the poignant regret of the Japanese Government and people that the original framers of the Covenant found themselves unable to accept the Japanese proposal in this matter, and the Japanese delegates declared that they would continue in their insistence for the adoption of their just demand by the League in the future. In view, however, of the present circumstances, Japan is strongly persuaded that the League is as yet in a stage where the consolidation of its organisation and

its actual working based upon the present Covenant should be accorded greater attention and deeper deliberations than the questions relating to the fundamental principle which might involve the revision of the Covenant and deliberation of which should be deferred for some time yet. From that point of view, Japan is refraining from making any concrete proposal at this Assembly as to the question of equal opportunity and treatment, and will, patiently bide her time until the opportune moment will present itself.

ANNEX 6.—Declaration made before the Assembly by Mr. V. Wellington Koo, First Delegate of the Republic of China, on 18th December 1920.

"On behalf of and with the authority of my Government, I have the honour to inform the Assembly that there are certain subjects of vital interest to China affecting international relations, which under the provisions of the Covenant of the League of Nations the Republic of China intends to bring to the attention of the Assembly or of the Council. In view, however, of the fact that at this first session of the Assembly it has been devoting, and in the opinion of the Chinese Delegation should devote, itself to the perfecting of the organisation of the League and to the definition of its rights and duties as set forth in the Covenant, the Chinese Delegation will not lay these subjects before the Assembly at the present Session. But I respectfully declare in the name of the Chinese Delegation that in thus refraining from bringing these subjects to the attention of the Assembly, I reserve the full right of the Republic of China as a Member of the League to present the subjects to the Assembly or to the Council at a more appropriate time in the future, and do not waive any right to which the Republic of China may be entitled."

APPENDIX VI.

Permanent Court of International Justice.

ANNEX 1.—*Statute of the Court.*

Article 1.—A Permanent Court of International Justice is hereby established, in accordance with Article 14 of the Covenant of the League of Nations. This Court shall be in addition to the Court of Arbitration organised by the Conventions of The Hague of 1899 and 1907, and to the special Tribunals of Arbitration to which States are always at liberty to submit their disputes for settlement.

CHAPTER I.—ORGANISATION OF THE COURT.

Article 2.—The Permanent Court of International Justice shall be composed of a body of independent judges, elected regardless of their nationality from amongst persons of high moral character, who possess the qualifications required in their respective countries for appointment to the highest judicial offices, or are juriconsults of recognised competence in international law.

Article 3.—The Court shall consist of fifteen members : eleven judges and four deputy judges. The number of judges and deputy judges may hereafter be increased by the Assembly, upon the proposal of the Council of the League of Nations, to a total of fifteen judges and six deputy judges.

Article 4.—The members of the Court shall be elected by the Assembly and by the Council from a list of persons nominated by the national groups in the Court of Arbitration, in accordance with the following provisions.

In the case of Members of the League of Nations not represented in the Permanent Court of Arbitration, the lists of candidates shall be drawn up by national groups appointed for this purpose by their Governments under the same conditions as those prescribed for members of the Permanent Court of Arbitration by Article 44 of the Convention of The Hague of 1907 for the pacific settlement of international disputes.

Article 5.—At least three months before the date of the election, the Secretary-General of the League of Nations shall address a written request to the members of the Court of Arbitration belonging to the States mentioned in the Annex to the Covenant or to the States which join the League subsequently, and to the persons appointed under para. 2 of Article 4, inviting them to undertake, within a given time, by national groups, the nomination of persons in a position to accept the duties of a member of the Court.

No group may nominate more than four persons, not more than two of whom shall be of their own nationality. In no case must the number of candidates nominated be more than double the number of seats to be filled.

Article 6.—Before making these nominations, each national group is recommended to consult its Highest Court of Justice, its Legal Faculties and Schools of Law, and its National Academies and national sections of International Academies devoted to the study of law.

Article 7.—The Secretary-General of the League of Nations shall prepare a list in alphabetical order of all the persons thus nominated. Save as provided in Article 12, para. 2, these shall be the only persons eligible for appointment.

The Secretary-General shall submit this list to the Assembly and to the Council.

Article 8.—The Assembly and the Council shall proceed independently of one another to elect, firstly the judges, then the deputy judges.

Article 9.—At every election, the electors shall bear in mind that not only should all the persons appointed as members of the Court possess the qualifications required, but the whole body also should represent the main forms of civilisation and the principal legal systems of the world.

Article 10.—Those candidates who obtain an absolute majority of votes in the Assembly and in the Council shall be considered as elected.

In the event of more than one national of the same Member of the League being elected by the votes of both the Assembly and the Council, the eldest of these only shall be considered as elected.

Article 11.—If, after the first meeting held for the purpose of the election, one or more seats remain to be filled, a second and, if necessary, a third meeting take place.

Article 12.—If, after the third meeting, one or more seats still remain unfilled, a joint conference consisting of six members, three appointed by the Assembly and three by the Council, may be formed, at any time, at the request of either the Assembly or the Council, for the purpose of choosing one name for each seat still vacant, to submit to the Assembly and the Council for their respective acceptance.

If the conference is unanimously agreed upon any person who fulfils the required conditions, he may be included in its list, even though he was not included in the list of nominations referred to in Articles 4 and 5.

If the joint conference is satisfied that it will not be successful in procuring an election, those members of the Court who have already been appointed shall, within a period to be fixed by the Council, proceed to fill the vacant seats by selection from amongst those candidates who have obtained votes either in the Assembly or in the Council.

In the event of an equality of votes amongst the judges, the eldest judge shall have a casting vote.

Article 13.—The members of the Court shall be elected for nine years.

They may be re-elected.

They shall continue to discharge their duties until their places have been filled. Though replaced, they shall finish any cases which they may have begun.

Article 14.—Vacancies which may occur shall be filled by the same method as that laid down for the first election. A member of the Court elected to replace a member whose period of appointment had not expired will hold the appointment for the remainder of his predecessor's term.

Article 15.—Deputy judges shall be called upon to sit in the order laid down in a list.

This list shall be prepared by the Court and shall have regard, firstly, to priority of election, and, secondly, to age.

Article 16.—The ordinary members of the Court may not exercise any political or administrative function. This provision does not apply to the deputy judges except when performing their duties on the Court.

Any doubt on this point is settled by the decision of the Court.

Article 17.—No member of the Court can act as agent, counsel or advocate in any case of an international nature. This provision only applies to the deputy judges as regards cases in which they are called upon to exercise their functions on the Court.

No member may participate in the decision of any case in which he has previously taken an active part, as agent, counsel or advocate for one of the contesting parties, or as a member of a national or international Court, or of a Commission of enquiry, or in any other capacity.

Any doubt on this point is settled by the decision of the Court.

Article 18.—A member of the Court cannot be dismissed unless, in the unanimous opinion of the other members, he has ceased to fulfil the required conditions.

Formal notification thereof shall be made to the Secretary-General of the League of Nations, by the Registrar.

This notification makes the place vacant.

Article 19.—The members of the Court, when engaged on the business of the Court, shall enjoy diplomatic privileges and immunities.

Article 20.—Every member of the Court shall, before taking up his duties, make a solemn declaration in open Court that he will exercise his powers impartially and conscientiously.

Article 21.—The Court shall elect its President and Vice-President for three years; they may be re-elected.

It shall appoint its Registrar.

The duties of Registrar of the Court shall not be deemed incompatible with those of Secretary-General of the Permanent Court of Arbitration.

Article 22.—The seat of the Court shall be established at The Hague.

The President and Registrar shall reside at the seat of the Court.

Article 23.—A session of the Court shall be held every year.

Unless otherwise provided by rules of Court, this session shall begin on the 15th of June, and shall continue for so long as may be deemed necessary to finish the cases on the list.

The President may summon an extraordinary session of the Court whenever necessary.

Article 24.—If, for some special reason, a member of the Court considers that he should not take part in the decision of a particular case, he shall so inform the President.

If the President considers that for some special reason one of the members of the Court should not sit on a particular case, he shall give him notice accordingly.

If in any such case the member of the Court and the President disagree, the matter shall be settled by the decision of the Court.

Article 25.—The full Court shall sit except when it is expressly provided otherwise.

If eleven judges cannot be present, the number shall be made up by calling on deputy judges to sit.

If, however, eleven judges are not available, a quorum of nine judges shall suffice to constitute the Court.

Article 26.—Labour cases, particularly cases referred to in Part XIII. (Labour) of the Treaty of Versailles and the corresponding portions of the other Treaties of Peace, shall be heard and determined by the Court under the following conditions:—

The Court will appoint every three years a special chamber of five judges, selected so far as possible with due regard to the provisions of Article 9. In addition, two judges shall be selected for the purpose of replacing a judge who finds it impossible to sit. If the parties so demand, cases will be heard and determined by this chamber. In the absence of any such demand, the Court will sit with the number of judges provided for in Article 25. On all occasions the judges will be assisted by four technical assessors sitting with them, but without the right to vote, and chosen with a view to ensuring a just representation of the competing interests.

If there is a national of one only of the parties sitting as a judge in the chamber referred to in the preceding paragraph, the President will invite one of the other judges to retire in favour of a judge chosen by the other party in accordance with Article 31.

The technical assessors shall be chosen for each particular case in accordance with rules of procedure under Article 30 from a list of "Assessors for Labour cases" composed of two persons nominated by each Member of the League of Nations and an equivalent number nominated by the Governing Body of the Labour Office. The Governing Body will nominate, as to one half, representatives of the workers, and as to one half, representatives of employers from the list referred to in Article 412 of the Treaty of Versailles and the corresponding Articles of the other Treaties of Peace.

In Labour cases the International Labour Office shall be at liberty to furnish the Court with all relevant information, and for this purpose the Director of that Office shall receive copies of all the written proceedings.

Article 27.—Cases relating to transit and communications, particularly cases referred to in Part XII. (Ports, Waterways and Railways) of the Treaty of Versailles and the corresponding portions of the other Treaties of Peace shall be heard and determined by the Court under the following conditions :—

The Court will appoint every three years a special chamber of five judges, selected so far as possible with due regard to the provisions of Article 9. In addition, two judges shall be selected for the purpose of replacing a judge who finds it impossible to sit. If the parties so demand, cases will be heard and determined by this chamber. In the absence of any such demand, the Court will sit with the number of judges provided for in Article 25. When desired by the parties or decided by the Court, the judges will be assisted by four technical assessors sitting with them, but without the right to vote.

If there is a national of one only of the parties sitting as a judge in the chamber referred to in the preceding paragraph, the President will invite one of the other judges to retire in favour of a judge chosen by the other party in accordance with Article 31.

The technical assessors shall be chosen for each particular case in accordance with rules of procedure under Article 30 from a list of "Assessors for Transit and Communications cases" composed of two persons nominated by each Member of the League of Nations.

Article 28.—The special chambers provided for in Articles 26 and 27 may, with the consent of the parties to the dispute, sit elsewhere than at The Hague.

Article 29.—With a view to the speedy despatch of business, the Court shall form annually a chamber composed of three judges who, at the request of the contesting parties, may hear and determine cases by summary procedure.

Article 30.—The Court shall frame rules for regulating its procedure. In particular, it shall lay down rules for summary procedure.

Article 31.—Judges of the nationality of each contesting party shall retain their right to sit in the case before the Court.

If the Court includes upon the Bench a judge of the nationality of one of the parties only, the other party may select from among the deputy judges a judge of its nationality, if there be one. If there should not be one, the party may choose a judge, preferably from among those persons who have been nominated as candidates as provided in Articles 4 and 5.

If the Court includes upon the Bench no judge of the nationality of the contesting parties, each of these may proceed to select or choose a judge as provided in the preceding paragraph.

Should there be several parties in the same interest, they shall, for the purpose of the preceding provisions, be reckoned as one party only. Any doubt upon this point is settled by the decision of the Court.

Judges selected or chosen as laid down in paras. 2 and 3 of this Article shall fulfil the conditions required by Articles 2, 16, 17, 20, 24 of this Statute. They shall take part in the decision on an equal footing with their colleagues.

Article 32.—The judges shall receive an annual indemnity to be determined by the Assembly of the League of Nations upon the proposal of the Council. This indemnity must not be decreased during the period of a judge's appointment.

The President shall receive a special grant for his period of office, to be fixed in the same way.

The Vice-President, judges, and deputy judges shall receive a grant for the actual performance of their duties, to be fixed in the same way.

Travelling expenses incurred in the performance of their duties shall be refunded to judges and deputy judges who do not reside at the seat of the Court.

Grants due to judges selected or chosen as provided in Article 31 shall be determined in the same way.

The salary of the Registrar shall be decided by the Council upon the proposal of the Court.

The Assembly of the League of Nations shall lay down, on the proposal of the Council, a special regulation fixing the conditions under which retiring pensions may be given to the personnel of the Court.

Article 33.—The expenses of the Court shall be borne by the League of Nations, in such a manner as shall be decided by the Assembly upon the proposal of the Council.

CHAPTER II.—COMPETENCE OF THE COURT.

Article 34.—Only States or Members of the League of Nations can be parties in cases before the Court.

Article 35.—The Court shall be open to the Members of the League and also to States mentioned in the Annex to the Covenant.

The conditions under which the Court shall be open to other States shall, subject to the special provisions contained in treaties in force, be laid down by the Council, but in no case shall such provisions place the parties in a position of inequality before the Court.

When a State which is not a Member of the League of Nations is a party to a dispute, the Court will fix the amount which that party is to contribute towards the expenses of the Court.

Article 36.—The jurisdiction of the Court comprises all cases which the parties refer to it and all matters specially provided for in treaties and conventions in force.

The Members of the League of Nations and the States mentioned in the Annex to the Covenant may, either when signing or ratifying the protocol to which the present Statutes is adjoined, or at a later moment, declare that they 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 all or any of the classes of legal disputes concerning :—

- (a) The interpretation of a treaty.
- (b) Any question of International Law.
- (c) The existence of any fact which, if established, would constitute a breach of an international obligation.
- (d) The nature or extent of the reparation to be made for the breach of an international obligation.

The declaration referred to above may be made unconditionally or on condition of reciprocity on the part of several or certain Members or States, or for a certain time.

In the event of a dispute as to whether the Court has jurisdiction, the matter shall be settled by the decision of the Court.

Article 37.—When a treaty or convention in force provides for the reference of a matter to a tribunal to be instituted by the League of Nations, the Court will be such tribunal.

Article 38.—The Court shall apply :—

1. International conventions, whether general or particular, establishing rules expressly recognised by the contesting States.
2. International custom, as evidence of a general practice accepted as law.
3. The general principles of law recognised by civilised nations.
4. Subject to the provisions of Article 59, judicial decisions and the teachings of the most highly qualified publicists of the various nations, as subsidiary means for the determination of rules of law.

This provision shall not prejudice the power of the Court to decide a case *ex aequo et bono*, if the parties agree thereto.

CHAPTER III.—PROCEDURE.

Article 39.—The official languages of the Court shall be French and English. If the parties agree that the case shall be conducted in French, the judgment will be delivered in French. If the parties agree that the case shall be conducted in English, the judgment will be delivered in English.

In the absence of an agreement as to which language shall be employed, each party may, in the pleadings, use the language which it prefers; the decision of the Court will be given in French and English. In this case the Court will at the same time determine which of the two texts shall be considered as authoritative.

The Court may, at the request of the parties, authorise a language other than French or English to be used.

Article 40.—Cases are brought before the Court, as the case may be, either by the notification of the special agreement, or by a written application addressed to the Registrar. In either case the subject of the dispute and the contesting parties must be indicated.

The Registrar shall forthwith communicate the application to all concerned.

He shall also notify the Members of the League of Nations through the Secretary-General.

Article 41.—The Court shall have the power to indicate, if it considers that circumstances so require, any provisional measures which ought to be taken to reserve the respective rights of either party.

Pending the final decision, notice of the measures suggested shall forthwith be given to the parties and the Council.

Article 42.—The parties shall be represented by agents.

They may have the assistance of counsel or advocates before the Court.

Article 43.—The procedure shall consist of two parts: written and oral.

The written proceedings shall consist of the communication to the judges and the parties of cases, counter cases and, if necessary, replies ; also all papers and documents in support.

• These communications shall be made through the Registrar, in the order and within the time fixed by the Court.

A certified copy of every document produced by one party shall be communicated to the other party.

The oral proceedings shall consist of the hearing by the Court of witnesses, experts, agents, counsel and advocates.

Article 44.—For the service of all notices upon persons other than the agents, counsel and advocates, the Court shall apply direct to the Government of the State upon whose territory the notice has to be served.

The same provision shall apply whenever steps are to be taken to procure evidence on the spot.

Article 45.—The hearing shall be under the control of the President, or, in his absence, of the Vice-President ; if both are absent, the senior judge shall preside.

Article 46.—The hearing in Court shall be public, unless the Court shall decide otherwise, or unless the parties demand that the public be not admitted.

Article 47.—Minutes shall be made at each hearing, and signed by the Registrar and the President.

These minutes shall be the only authentic record.

Article 48.—The Court shall make orders for the conduct of the case, shall decide the form and time in which each party must conclude its arguments, and make all arrangements connected with the taking of evidence.

Article 49.—The Court may, even before the hearing begins, call upon the agents to produce any document, or to supply any explanations. Formal note shall be taken of any refusal.

Article 50.—The Court may, at any time, entrust any individual, body, bureau, commission or other organisation that it may select, with the task of carrying out an enquiry or giving an expert opinion.

Article 51.—During the hearing any relevant questions are to be put to the witnesses and experts under the conditions laid down by the Court in the rules of procedure referred to in Article 30.

• *Article 52.*—After the Court has received the proofs and evidence within the time specified for the purpose it may refuse to accept any further oral or written evidence that one party may desire to present unless the other side consents.

Article 53.—Whenever one of the parties shall not appear before the Court, or shall fail to defend his case, the other party may call upon the Court to decide in favour of his claim.

The Court must, before doing so, satisfy itself not only that it has jurisdiction in accordance with Articles 36 and 37, but also that the claim is well founded in fact and law.

Article 54.—When, subject to the control of the Court, the agents, advocates and counsel have completed their presentation of the case, the President shall declare the hearing closed.

The Court shall withdraw to consider the judgment.

The deliberations of the Court shall take place in private and remain secret.

Article 55.—All questions shall be decided by a majority of the judges present at the hearing.

In the event of an equality of votes, the President or his deputy shall have a casting vote.

Article 56.—The judgment shall state the reasons on which it is based.

It shall contain the names of the judges who have taken part in the decision.

• *Article 57.*—If the judgment does not represent in whole or in part the unanimous opinion of the judges, dissenting judges are entitled to deliver a separate opinion.

Article 58.—The judgment shall be signed by the President and by the Registrar. It shall be read in open Court, due notice having been given to the agents.

Article 59.—The decision of the Court has no binding force except between the parties and in respect of that particular case.

• *Article 60.*—The judgment is final and without appeal. 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.

Article 61.—An application for revision of a judgment can be made only when it is based upon the discovery of some fact of such a nature as to be a decisive factor, which fact was, when the judgment was given, unknown to the Court and also to the party claiming revision, always provided that such ignorance was not due to negligence.

The proceedings for revision will be opened by a judgment of the Court expressly recording the existence of the new fact, recognising that it has such a character as to lay the case open to revision, and declaring the application admissible on this ground.

The Court may require previous compliance with the terms of the judgment before it admits proceedings in revision.

The application for revision must be made at latest within six months of the discovery of the new fact.

No application for revision may be made after the lapse of 10 years from the date of the sentence.

Article 62.—Should a State consider that it has an interest of a legal nature which may be affected by the decision in the case, it may submit a request to the Court to be permitted to intervene as a third party.

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

Article 63.—Whenever the construction of a convention to which States other than those concerned in the case are parties is in question, the Registrar shall notify all such States forthwith.

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

Article 64.—Unless otherwise decided by the Court, each party shall bear its own costs.

ANNEX 2.—*Protocol of Signatures.*

The members of the League of Nations, through the undersigned, duly authorised, declare their acceptance of the adjoined Statute of the Permanent Court of International Justice, which was approved by a unanimous vote of the Assembly of the League on the 13th December 1920 at Geneva.

Consequently, they hereby declare that they accept the jurisdiction of the Court in accordance with the terms and subject to the conditions of the above-mentioned Statute.

The present Protocol, which has been drawn up in accordance with the decision taken by the Assembly of the League of Nations on the 13th December 1920, is subject to ratification. Each Power shall send its ratification to the Secretary-General of the League of Nations; the latter shall take the necessary steps to notify such ratification to the other signatory Powers. The ratification shall be deposited in the archives of the Secretariat of the League of Nations.

The said Protocol shall remain open for signature by the Members of the League of Nations and by the States mentioned in the Annex to the Covenant of the League.

The Statute of the Court shall come into force as provided in the above-mentioned decision.

Executed at Geneva, in a single copy, the French and English texts of which shall both be authentic.

16th December 1920.

Optional Clause.

The undersigned, being duly authorised thereto, further declare, on behalf of their Government, that from this date they accept as compulsory *ipso facto*, and without special Convention, the jurisdiction of the Court in conformity with Article 36, para. 2, of the Statute of the Court under the following conditions.

The application for revision must be made at latest within six months of the discovery of the new fact.

No application for revision may be made after the lapse of 10 years from the date of the sentence.

Article 62.—Should a State consider that it has an interest of a legal nature which may be affected by the decision in the case, it may submit a request to the Court to be permitted to intervene as a third party.

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

Article 63.—Whenever the construction of a convention to which States other than those concerned in the case are parties is in question, the Registrar shall notify all such States forthwith.

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

Article 64.—Unless otherwise decided by the Court, each party shall bear its own costs.

ANNEX 2.—*Protocol of Signatures.*

The members of the League of Nations, through the undersigned, duly authorised, declare their acceptance of the aforesaid Statute of the Permanent Court of International Justice, which was approved by a unanimous vote of the Assembly of the League on the 13th December 1920 at Geneva.

Consequently, they hereby declare that they accept the jurisdiction of the Court in accordance with the terms and subject to the conditions of the above-mentioned Statute.

The present Protocol, which has been drawn up in accordance with the decision taken by the Assembly of the League of Nations on the 13th December 1920, is subject to ratification. Each Power shall send its ratification to the Secretary-General of the League of Nations; the latter shall take the necessary steps to notify such ratification to the other signatory Powers. The ratification shall be deposited in the archives of the Secretariat of the League of Nations.

The said Protocol shall remain open for signature by the Members of the League of Nations and by the States mentioned in the Annex to the Covenant of the League.

The Statute of the Court shall come into force as provided in the above-mentioned decision.

Executed at Geneva, in a single copy, the French and English texts of which shall both be authentic.

16th December 1920.

Optional Clause.

The undersigned, being duly authorised thereto, further declare, on behalf of their Government, that from this date they accept as compulsory *ipso facto*, and without special Convention, the jurisdiction of the Court in conformity with Article 36, para. 2, of the Statute of the Court under the following conditions.

REPORT

OF THE

DELEGATES OF INDIA

TO THE

SECOND SESSION OF THE ASSEMBLY

OF THE

LEAGUE OF NATIONS



DELHI
SUPERINTENDENT GOVERNMENT PRINTING, INDIA
1922.

TABLE OF CONTENTS.

	Paras.
INTRODUCTORY	1-11
Election of the Judges of the Permanent Court of International Justice	12-18
Matters dealt with by Committee No. I	19-42
(a) Amendments to the Covenant :—	
(i) <i>Article 1 (Membership of the League)</i>	20-21
(ii) <i>Articles 3, 12, 13 and 15 (Meetings of the Assembly and Disputes between Members)</i>	22-25
(iii) <i>Article 21 (International Engagements)</i>	26
(iv) <i>Article 10 (Guarantee against External Aggression)</i>	27
(v) <i>Article 18 (Registration of Treaties)</i>	28-29
(vi) <i>Articles 5 and 26 (Method of effecting Amendments)</i>	30-36
(vii) <i>Article 4 (Non-permanent Members of the Council)</i>	37-38
(viii) <i>Article 5 (The Principle of Unanimity)</i>	39
(b) Protection of Minorities	40
(c) Amendment of the Rules of Procedure	41-42
Matters dealt with by Committee No. II	43-60
(a) The Economic and Financial Committee	43-52
(b) Communications and Transit	52-55
(c) The Health Organisation	56-59
(d) International Statistics	60
Matters dealt with by Committee No. III.	61-69
(a) Armaments	61-64
(b) Economic Blockade	65-69
Matters dealt with by Committee No. IV	70-119
(a) Organisation of the Secretariat and of the International Labour Office	70-90
(b) Allocation of the Expenses of the League	91-110
(c) Audited Accounts and Budget	110-119
Matters dealt with by Committee No. V	120-151
(a) The Traffic in Opium	120-136
(b) Deportation of Women and Children	137
(c) The Traffic in Women and Children	138-146
(d) Typhus	147-148
(e) The International Co-ordination of Intellectual Work	149-150
(f) Eastern Galicia	151
Matters dealt with by Committee No. VI.	152-160
(a) Admission of new States to the League	152-153
(b) Albania	154-155
(c) Famine in Russia	156-157
(d) National Home for Turkish Armenians	158
(e) Mandates	159-160
Miscellaneous Questions	161-164
(a) Poland and Lithuania	161
(b) Repatriation of Prisoners of War	162
(c) A Universal Language	163
(d) Election of the non-permanent Members of the Council	164
Concluding Remarks	165

(For List of Appendices see page 50.)

REPORT OF THE DELEGATES OF INDIA TO THE SECOND SESSION OF THE ASSEMBLY OF THE LEAGUE OF NATIONS.

TO THE RIGHT HONOURABLE E. S. MONTAGU, M.P., HIS
MAJESTY'S PRINCIPAL SECRETARY OF STATE FOR INDIA.

SIR,

We beg to submit our Report on the proceedings of the second session of the Assmby of the League of Nations at Geneva, at which we had the honour to represent India.

It may be mentioned that confidential weekly reports were sent by Sir William Meyer to the Under Secretary of State for India, and copy of the same to His Excellency the Viceroy.

2. The Assembly met on Monday, 5th September. This year there were 48 States with the right to send representatives, but none appeared from Argentina, Guatemala, Honduras, Nicaragua, Peru and Salvador. A list of the delegates of other States will be found in Appendix I. As stated in paragraph 152, three new member States—Esthonia, Latvia, and Lithuania—were subsequently elected, and their delegates then took part in the Assembly's business.

3. Mr. Wellington Koo (China), as being for the time President of the Council, took the chair at the opening of the Assembly and made a good opening address.

4. The first business undertaken was the election of a Committee of eight members to examine the credentials of the delegates to the League. H. H. the Maharao of Kutch was one of the representatives on this Committee.

5. The next step was the election of a President, and M. van Karnebeek (Netherlands) was elected after a contest with M. da Cunha (Brazil). The British Empire Delegations had resolved to support M. van Karnebeek on the ground that it was not advisable that the President of the Assembly should belong to a State represented on the Council. M. van Karnebeek, however, filled the office in a satisfactory manner. At a subsequent meeting M. Ador (Switzerland) was elected Honorary President.

6. On the 6th September six Grand Committees were constituted to deal respectively with matters relating to: (1) constitutional and legal questions; (2) international technical organisations (transit, health and economic and financial); (3) armaments and blockade; (4) League finance and secretariat organization; (5) humanitarian questions (opium, typhus, traffic in women and children, etc.); and (6) political questions, such as the admission of new States to the League. Each State represented at the Assembly had one representative on each Committee, and the distribution of the work among the various Committees was as follows:—

NOT REFERRED TO ANY COMMITTEE.

General Report by the Secretary-General on the work of the Council and the Secretariat and upon the measures taken to execute the decisions of the Assembly.

Permanent Court of International Justice.

Report on the ratifications of the Protocol drawn up last year for the constitution of the Court.

Election of Judges (paragraph 12).

Appointment of the four non-permanent Members of the Council (paragraph 164).

A resolution by Lord Robert Cecil that greater publicity should be given to the Council's proceedings. This was adopted on the 16th September (Appendix II, Resolution No. 41).

COMMITTEE No. I.

Report by the Council on the conclusions of the Committee on Amendments to the Covenant.

Report by the Council on the conclusions of the Committee appointed to examine the scope and intentions of Article 18 of the Covenant from a legal point of view.

There were subsequently referred to this Committee:—A resolution by Professor Gilbert Murray on the subject of the protection of minorities, and a proposal by Lord Robert Cecil for the simplification of voting by an amendment to the Rules of Procedure.

COMMITTEE No. II.

Report of the work of the Advisory Economic and Financial Committee.

Report of the Advisory and Technical Committee on Communications and Transit.

Report of the Technical Committee of the International Health Organisation of the League.

Organisation of International Statistics.

COMMITTEE No. III.

Report on the conclusions of the temporary Commission on the Reduction of Armaments.

Report on the conclusions of the International Blockade Committee.

COMMITTEE No. IV.

Report from the Committee appointed to examine the organisation, etc., of the Permanent Secretariat and the International Labour Office.

The allocation of the expenses of the League, including the report by the Council on the conclusions of the Committee appointed to study this question.

Draft Budget for 1922.

Audit of accounts for second fiscal period (1st July to 31st December 1920).

Auditor's Report.

COMMITTEE No. V.

Presentation by the Council of the Report of the Advisory Committee on the Traffic in Opium.

Report by the Council on the work of the Commission of Enquiry with regard to the Deportation of Women and Children in Turkey and adjacent countries.

Report by the Council on the International Conference on the Traffic in Women and Children.

Report by the Council on the Typhus campaign.

Report by the Council on the International Co-ordination of Intellectual Work.

There was subsequently referred to this Committee:—A resolution by Mr. Doherty (Canada) on the status of Eastern Galicia,

COMMITTEE No. VI.

Requests for admission to the League by:—

Esthonia,
Hungary,

Latvia,
Lithuania,

And as regards Albania—

(1) The decision adopted by the Council of the League of Nations on 25th June 1921, in regard to the request of Albania concerning her dispute with Greece and the Serb-Croat-Slovene State.

(2) Appeal by the Government of Albania against the occupation of certain territory by troops of the Serb-Croat-Slovene State.

There were subsequently referred to this Committee:—Dr. Nansen's resolution on the subject of Famine in Russia; Professor Gilbert Murray's resolution on the subject of a national home for Turkish Armenians; Lord Robert Cecil's resolution on Mandates.

7. Sir William Meyer represented India on Committees II and IV, Mr. Sastri on Committees I and V, and H. H. the Maharao of Kutch on Committees III and VI.

The distribution of Committee work among the delegates was affected by the fact that it had been determined that, for time-table purposes, these Committees should form two groups—those of group A. *viz.*, Committees I to III, to meet simultaneously on the afternoons of Monday, Wednesday and Friday (the mornings being reserved for the full Assembly), and those of group B, *viz.*, Committees IV to VI, to meet on the afternoons of Tuesday, Thursday and Saturday. But the delegates of India were, of course, in close inter-communication throughout.

8. The Committees elected the following Chairmen and Vice-Chairmen:—

Committee No. I.—Chairman, M. Scialoja (Italy); Vice-Chairman, M. Urrutia (Columbia).

Committee No. II.—Chairman, M. Jonsco (Rumania); Vice-Chairman, M. Freire d'Andrade (Portugal).

Committee No. III.—Chairman, M. Branting (Sweden); Vice-Chairman, M. de Agüero y Bethancourt (Cuba).

Committee No. IV.—Chairman, M. Edwards (Chile); Vice-Chairman, M. Herluf Zahle (Denmark).

Committee No. V.—Chairman, Mr. Doherty (Canada); Vice-Chairman, M. Tang Tsai-Fou (China).

Committee No. VI.—Chairman, M. le Comte de Gimeno (Spain); Vice-Chairman, M. Escalante (Venezuela).

There was a general feeling that members of the League Council should not preside over Committees, and no such member was elected.

9. The Assembly then proceeded to the election of six general Vice-Presidents, who, with the six Chairmen of Committees and the President, form the Bureau for the general control of the business of the Assembly. At the first ballot only five nominees had an absolute majority, and a second ballot was necessary between M. Benes (Czecho-Slovakia) and M. Torriente (Cuba), the former being elected. The final list was as follows:—

M. Bourgeois (France), M. da Cunha (Brazil), Mr. Balfour (Great Britain), Viscount Ishii (Japan), M. Hymans (Belgium), M. Benes (Czecho-Slovakia).

The British Empire Delegations would have been very glad had H. H. the Maharao of Cutch been elected one of the Vice-Presidents, but the success of his candidature was handicapped by his being new to the Assembly. In these circumstances, it is gratifying that he received several outside votes.

10. At the meeting of 7th September, the Assembly confirmed the provisional Agenda for future meetings, which had been placed before it by the Secretariat, and this gave rise to a lively debate between the representatives of Bolivia and Chile regarding a request by the Bolivian Government for the inclusion in the Agenda of the application of Article 19 of the Covenant to a treaty of peace between Bolivia and Chile signed in 1904. It was eventually decided, after the question had been submitted to a special Committee

of Jurists, that the Bolivian request was out of order, because the Assembly could only invite the Members of the League to reconsider treaties in certain conditions set forth in Article 19, and would, in the present instance, have to consider as a preliminary whether these conditions did in point of fact exist; and Bolivia then withdrew the proposal, but with a reservation as to bringing it up on a future occasion. It may be noted here that Poland withdrew her request for the inclusion in the Agenda of a proposed amendment to Article 6, paragraph 3 of the Covenant, dealing with national representation on the Secretariat.

11. At the meeting of the 8th September the Assembly began a general discussion, which lasted until the 17th September, on a bulky report on the work of the Council and the measures taken to execute the decisions of last year's Assembly. In the course of the debate Mr. Sastri made a speech which was most warmly applauded, and the full text of which will be found in Appendix IV (Annex 1).

ELECTION OF THE JUDGES OF THE PERMANENT COURT OF INTERNATIONAL JUSTICE.

12. On 14th September the Assembly met both morning and afternoon, and nearly the whole of these two sittings was taken up by action in respect of election of Judges for the Permanent Court of International Justice, a matter which gave rise to a great deal of lobbying.

It should be noted that under the constitution of the Court the Council of the League and the Assembly have equal powers in regard to the selection of Judges, so that an agreement between the two is requisite.

13. Each body had thus to select 11 Judges, and at the first Assembly ballot an absolute majority of votes, which was requisite, was obtained by—

M. Altamira (Spain).	M. de Bustamante (Cuba).
M. Alvarez (Chile).	Viscount Finlay (Great Britain).
M. Anzilotti (Italy).	M. Loder (Netherlands).
M. Barboza (Brazil).	M. Oda (Japan).
M. Weiss (France).	

Most of these persons had been voted for by the Indian Delegation after consultation with the other Empire Delegations, and we also voted for Mr. Amir Ali, whom our sister delegations likewise supported, and for Sir Robert Borden, but Mr. Amir Ali only got seven votes and Sir Robert Borden 12.

14. It was then necessary to vote again for two other Judges, and the original intention had been that the procedure should be that laid down in the Assembly's Rules of Business in respect of election to plural appointments, such as Vice-President, *viz.*, that the second ballot should be confined to those persons, not exceeding double the number of places still to be filled, who had obtained the largest number of votes on the first ballot.

It was contended, however, by M. Fernandes (Brazil) that this domestic procedure of the Assembly was not applicable to the method of election for the Judges, which ought to be carried out, under the terms of the Statute of the International Court, in the same manner throughout. After some discussion this proposal carried the day, and it was resolved that at every ballot delegates should be entitled to vote for anyone they pleased. This method, of course, lengthened the proceedings by the scattering of votes.

On the second ballot Mr. Moore (United States) got an absolute majority, but it was not until the fifth that such a majority was obtained by M. Huber (Switzerland).

15. Nine of the 11 candidates thus selected by the Assembly also found favour with the Council, but in regard to two selections there was difference, the Council having voted for M. Nyholm (Denmark) and M. Descamps (Belgium), while the Assembly had preferred M. Alvarez (Chile) and M. Huber (Switzerland). A further vote was, therefore, necessary, and this resulted in

the Assembly adopting M. Nyholm (Denmark), but standing out for M. Huber (Switzerland) as against M. Descamps (Belgium). The Council accepted this solution, so that the 11 Judges were finally constituted thus:—

M. Altamira (Spain), M. Anzilotti (Italy), M. Barboza (Brazil), M. de Bustamanto (Cuba), Viscount Finlay (Great Britain), M. Huber (Switzerland), M. Loder (Netherlands), Mr. Moore (United States), M. Nyholm (Denmark), M. Oda (Japan), M. Weiss (France).

16. The Assembly then went on to the election of four substitute Judges to take the place of regular Judges who might be incapacitated, and the Indian Delegation (and the British Empire Delegations generally) made great efforts to obtain the selection of Mr. Amir Ali.

On the first ballot M. Alvarez (Chile) and M. Negulesco (Rumania) obtained an absolute majority, while Mr. Amir Ali secured 13 votes, increased to 14 on the second ballot, which latter gave no conclusive result. On the third ballot Mr. Amir Ali's votes dropped to nine, and an absolute majority was obtained by Mr. Wang Chung-Hui (China) and Mr. Yovanovitch (Serb-Croat-Slovene State).

The Assembly's list was thus constituted as follows:—M. Alvarez, M. Negulesco, Mr. Wang Chung-Hui, M. Yovanovitch.

17. The Council's list contained the last three names, but instead of M. Alvarez had M. Descamps (Belgium). Another ballot was, therefore, necessary, and the Assembly sustained the nomination of M. Alvarez, while the Council held to M. Descamps. A third contest between the Assembly and the Council led to exactly the same result. It was, therefore, decided, under the provisions of the Statute of the Court, to appoint a mixed Committee of Selection, which would consist of three members of the Assembly and an equal number of the Council. This Joint Committee proposed to withdraw both M. Descamps and M. Alvarez, and to substitute M. Beichmann (Norway), and the Assembly and the Council agreed to ratify that proposal.

18. The non-election of Mr. Amir Ali, in spite of our efforts, was very disappointing as he would have been an admirable representative not merely of India but of Muhammadan jurisprudence.

Work of Committee No. I.—Constitutional and Legal Questions.

19. Committee No. I held its first meeting on the 7th September, when it appointed six sub-Committees to deal with the matters before it.

It also selected three members—M. Noblemaire (France), Mr. Bruce (Australia), and M. Osusky (Czecho-Slovakia)—to meet a similar number of members of Committee IV, and discuss in common the amendments to the Covenant which might be necessitated by new arrangements in regard to the Budget and the allocation of expenses of the League. (For the report of this Committee see paragraph 101.)

AMENDMENTS TO THE COVENANT.

*Article I (Membership of the League).**

20. The Committee rejected the amendment to Article 1 of the Covenant proposed by Argentina last year (*vide* paragraph 14 of the Indian Delegation's Report on the work of the first Assembly), which aimed at the automatic admission to the League of all States willing to join it. The report to the Assembly on this subject was drawn up by M. Scialoja (Italy), who indicated that the actual wording of the amendment was defective, as the Argentine Government had itself admitted; and that as regards the substance, although the principle involved was excellent, the Committee did not think that the moment for applying it had yet come. The delegates of Uruguay, Colombia, Chile, and Spain concurred in this view, and some of them expressed the hope that Argentina would soon resume her place in the Assembly.

* The Articles are referred to in the order in which the Committee reported on them.

*Action by the
Assembly.*

The Committee's proposal that the Assembly should adjourn the discussion of the proposal was unanimously adopted by the Assembly on the 4th October (Appendix II, Resolution No. 25).

21. The Committee adopted the conclusions of one of its Sub-Committees regarding the position of minute States, such as Lichtenstein and Monaco—which desired to join the League, but could not well be admitted owing to their small size—that it would be difficult to lay down any general rule for partial association of such States with the League, but that as each particular case arose examination might be made of the best practical action to effect this.

*Action by the
Assembly.*

On the 4th October the Assembly approved the Committee's proposals (Appendix II, Resolution No. 26).

Articles 3, 12, 13 and 15 (Meetings of the Assembly and disputes between Members).

22. Certain amendments proposed by the Scandinavian and other Governments in respect of Articles 3, 12, 13 and 15 were considered unnecessary by the Sub-Committee entrusted to deal with them. Those relating to Article 3 had for their object to make an annual session of the Assembly obligatory, and to have supplementary sessions whenever an adequate number of constituent States desired it, but this proposal was withdrawn. The withdrawal was duly noted by the Assembly on the 6th October (Appendix II, Resolution No. 34).

*Action by the
Assembly.*

23. The Scandinavian Governments had suggested amendments of Articles 12 and 15 to make provision for a system of commissions of arbitration and conciliation to deal with disputes which come before the League. Committee I considered this was premature, and that the procedure desired should be subject to further investigation by a special Committee, so that the matter might be further dealt with next year. This recommendation was approved by the Assembly on the 5th October (Appendix II, Resolution No. 27).

*Action by the
Assembly.*

24. The Scandinavian Government had desired to leave out the word "generally" in the clause "among those which are generally suitable for submission to arbitration," in the second paragraph of Article 13 of the Covenant. This would emphasise the obligation of Member States to have recourse to arbitration for the settlement of disputes under this Article. Committee I asked the Assembly to reject this amendment, which was, moreover, not now insisted on by the Governments which had fathered it, on the ground that, in connection with the Permanent Court of International Justice, certain States had already accepted the principle of obligatory arbitration, and that this principle should be left to develop gradually. The Committee's view was confirmed by the Assembly on the 6th October (Appendix II, Resolution No. 35).

*Action by the
Assembly.*

25. On the other hand, the Committee pointed out that Articles 12, 13 and 15 required some verbal amendments making reference to judicial settlement or judicial decision, and in particular they desired that a definite reference to the Permanent Court of International Justice should be included in Article 13. These amendments were fully approved by the Assembly on the 8th October. The text of the three Articles as amended will be found in Appendix II (Resolutions 38, 39 and 40), the new matter being printed in italics.

*Action by the
Assembly.*

Article 21 (International Engagements).

26. The Committee discussed at some length a proposal to amend Article 21 so as to make it read as follows, the second clause being new:—

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

"Agreements between Members of the League tending to define or complete the engagements contained in the Covenant for the maintenance of peace or the promotion of international co-operation may not only be approved by the League, but also promoted and negotiated under its auspices, provided

these agreements are not inconsistent with the terms of the Covenant. Special conference of the Members of the League concerned may be summoned for this purpose by the Council or by the Assembly."

This was with the object of emphasising the legitimacy of regional understandings generally and of agreements between certain Members of the League for the maintenance of peace or the promotion of co-operation. China had, however, been restive about regional agreements for obvious reasons, which similarly led Czecho-Slovakia emphatically to approve them. Committee I came to the conclusion that the time had not yet arrived for such revision of the Article, especially as the present text did not exclude the application of the ideas that the proposed amendment involved. The Committee, therefore, proposed that, while Article 21 should be retained as it is, the Assembly's attention should be drawn to the fact that "agreements between Members of the League tending to define or complete the engagements contained in the Covenant for the maintenance of peace or the promotion of international co-operation, may be regarded as of a nature likely to contribute to the progress of the League in the path of practical realisations.

"Such agreements may also be negotiated under the auspices of the League of Nations, for example, in special conferences, with its assistance."

The Committee's view was endorsed by the Assembly on the 6th October (Appendix II, Resolution No. 28).

Action by the Assembly.

Article 10 (Guarantee against External Aggression).

27. An amendment to the Covenant, proposing to eliminate Article 10, had been put forward by the Canadian Delegation. The Committee considered that, as this amendment had given rise to widely different opinions with reference to the legal bearings of Article 10 and its relationship to other Articles of the Covenant (e.g., Articles 12 and 17), it would be desirable that the matter should be held over until next session. On the 6th October this was agreed to by the Assembly, Mr. Doherty (Canada) pointing out that the reason his delegation had raised the question was that they thought that Article 10 contained a dangerous principle, viz., that possession or the *status quo* should prevail over the needs of justice (Appendix II, Resolution No. 29).

Action by the Assembly.

Article 18 (Registration of Treaties).

28. Committee I proposed that Article 18 should be expanded as shown below :—

"(1) Every treaty or international engagement entered into hereafter by any Member of the League shall be forthwith registered with the Secretariat, and shall as soon as possible be published by it.

"(2) No such treaty or international engagement shall be binding until so registered. Nevertheless, if treaties or international engagements are registered within three months of the time when they were definitely concluded, the effect of the registration will date back to that time.

"(3) It shall not be obligatory to submit for registration instruments of a purely technical or administrative nature which have no bearing on political international relations, nor instruments which consist merely of technical regulations defining without in any way modifying an instrument already registered, or which are only designed to enable such an instrument to be carried into effect.

"(4) Regulations adopted unanimously by the Assembly shall lay down the way in which these articles shall be applied."

The draft regulations contemplated in the last clause had reference to procedure and the view taken by the Committee was as follows :—

(i) Under Article 18 all treaties which create international legal obligations must, without exception or reservation, be submitted for registration, provided that one of the contracting parties is a Member of the League of Nations.

(ii) The registration of an instrument imposes no obligation on the League of Nations but that of providing for its publication.

(iii) Registration does not take the place of ratification. It is simply a condition upon the fulfilment of which the binding force of a treaty or international engagement is dependent. Once the treaty or agreement has been concluded, neither of the contracting parties can escape unilaterally from its obligations; but until registration has taken place, the treaty or agreement will lack positive binding force, both between the contracting parties and in regard to third parties.

(iv) As regards treaties and agreements which require registration, any contracting party, whether a member of the League of Nations or not, may demand such registration.

(v) With regard to treaties between States which are not Members of the League of Nations, there is no obligation to effect registration, but there is nothing to prevent the Secretary-General from acceding to requests for registration addressed to him by such States.

Action by the
Assembly.

29. In the Assembly, on the 5th October, Mr. Balfour said that it was obvious that the matter was difficult and complex, and that a rigid and unqualified interpretation of Article 18 as it stands was impossible, *e.g.*, there were financial agreements which could not be registered and made public, as well as agreements in regard to executive details bearing on the application of treaties. He accordingly moved the following resolution, which it was agreed should be taken in two parts and separately voted on:—

“The Assembly, taking note of the proposal for the amendment of Article 18 contained in the report of Committee I, decides to adjourn the further consideration of this amendment until the third Assembly, it being understood that in the meantime Members of the League are at liberty to interpret their obligations under Article 18 in conformity with the proposed amendments.”

The first part of this resolution, as regards the postponement of amendment of Article 18 to the next Assembly, was carried unanimously, while the second portion, concerning the liberty of Members of the League to interpret their obligations in conformity with the proposed amendments pending the adoption of the latter, was carried by 22 votes to 5. Subsequently, however, the point was raised that as unanimity was required the resolution was lost, and the President ruled accordingly. (Appendix II, Resolution 24.)

Articles 5 and 26 (Method of effecting Amendments).

30. The Committee discussed the correct procedure in regard to amendments to the Covenant, having regard to the terms of its Articles 5 and 26. The former Article lays down that, except where otherwise expressly provided, resolutions at any meeting of the Assembly must be unanimous, and for this reason, in various cases last year, there was substituted for a formal resolution, in respect of which unanimity could not be obtained, a mere recommendation by a majority.

Article 26 of the Covenant lays down that “amendments to the Covenant will take effect when ratified by the Members of the League whose representatives compose the Council, and by a majority of the Members of the League whose representatives compose the Assembly.” No such amendment shall bind any Member of the League which signifies its dissent therefrom, but in that case it shall cease to be a Member of the League.

31. There were, as a result, two schools of thought. One maintained that if an ordinary resolution required unanimity, this should *a fortiori* be necessary in regard to the far more important matter of amendment of the terms of the Covenant, and that Article 26 merely indicates what was to take place when, on unanimous resolutions of the Assembly and the Council, such amendments were passed on for formal ratification by the Governments of the League States.

The other school maintained that Article 26 must be taken as self-contained, and that unanimity was not necessary *quâ* resolutions for amending the

Covenant, in view of the subsequent ratification procedure laid down, whereas in the case of ordinary resolutions, as the ratification safeguard did not exist, unanimity was requisite.

• Among the supporters of the former view were the Netherlands and French Delegates. Among those who took the view that amendments to the Covenant could be dealt with entirely with reference to Article 26 were Mr. Balfour and M. Motta (Switzerland). Mr. Sastri held that, as the Covenant stood, Article 26 could not be dissociated from Article 5, and that the proper course would be to get a unanimous decision that Article 26 should cover all questions relating to Covenant amendments. Future procedure could then be by a majority.

32. In their final report, discussing the question whether Article 26 must be read as linked with Article 5, so that a preliminary resolution by the Assembly for amendments must be unanimous; the Committee said that this is not necessary, *i.e.*, that amendments can be dealt with entirely under Article 26, and they cited in support of this a speech made by President Wilson at the Peace Conference on the 28th April 1919, and, among other documents, a commentary on the Covenant submitted to Parliament by the British Government.

The prerogatives of sovereign States were, they considered, guarded by the ratification procedure required by Article 26.

They proposed, however, as an additional safeguard, that Article 26 should be amended so as to require a preliminary vote in the Assembly to be carried by a three-fourths majority, and that this majority must further include the votes of the representatives of all the Council States (permanent and temporary) represented at the meeting. Some other amendments they suggested will be followed from the text of their recasting of Article 26 which is given below, fresh matter as compared with the existing Article being in italics:—

“ Amendments to the present Covenant, the text of which shall have been voted by the Assembly on a three-fourths majority, in which there will be included the votes of all the members of the Council represented at the meeting, will take effect when ratified by the Members of the League whose representatives composed the Council when the vote was taken, and by the majority of those whose representatives formed the Assembly.

“ If the required number of ratifications shall not have been obtained within 18 months after the vote of the Assembly, the proposed amendment shall remain without effect.*

“ The Secretary-General shall inform the Members of the putting into force of an amendment.

“ Any Member of the League which has not at the time ratified the amendment is free to notify the Secretary-General within a year of its refusal to accept it, but in that case it shall cease to be a Member of the League.”

33. After some discussion this resolution was approved by the Assembly ^{Action by the Assembly.} on the 4th October (Appendix II, Resolution 23) by 37 votes, with none against (there were 14 abstainers or absentees), subject to an accepted amendment by M. Urrutia (Columbia) that the period of 18 months in respect of ratification should be extended to 22 months. M. Urrutia had likewise suggested that the period of one year referred to in the last clause of the resolution should be extended to two years, but this he subsequently withdrew.

34. The Indian Delegation voted for this amendment of the Covenant, as the proposal seemed to be an eminently reasonable one. It obviates the necessity of an unanimous assent of the Assembly to proposed amendments, which would, on occasion, be fatal to real progress, while the procedure now proposed gives adequate safeguard against action by narrow and possibly not very responsible majorities.

35. In the course of the discussion in the Assembly Sir James Allen (New Zealand) stated that, in order to avoid the possibility of “snatch votes” he would

*Extended to 22 months by the Assembly, see paragraph 33.

ask his Government to get placed on the agenda of the next Assembly the question of fixing a quorum for validity of decisions of the Assembly and of Committees (there is no such quorum rule at present), and of some amendment to Article 19 (5) of the Rules of Procedure, which lays down that in matters of voting abstaining representatives are put on the same footing as absentees.

36. Approval was also given by the Assembly to a recommendation put forward by Committee I, that during the present session the principle now proposed to be embodied in Article 26 in respect of the voting of resolutions be applied, *i.e.*, the Assembly was recommended not to pass any resolution for amendment to the Covenant unless it obtained a three-fourths majority and embodied the votes of the delegates representing Members of the Council. The Assembly further approved the proposal of the Committee that when amendments to Articles of the Covenant had been voted by the Assembly it was desirable, in order to expedite the process of ratification by the constituent States, that a protocol in regular form should be appended for signature by delegates who deemed themselves competent to give such signature on behalf of their Governments; this, of course, without prejudice to the necessity for subsequent ratification of such Governments (Appendix II, Resolution No. 23).

Article 4 (Non-permanent Members of the Council).

37. With reference to Article 4 of the Covenant, dealing with the composition of the Council of the League, the Belgian Delegate suggested that the number of non-permanent Members of the Council should be raised from four to six, his obvious desire being to make it more probable that Belgium would be re-elected by the Assembly at this session. It was decided that the question of augmentation of the number of Members of the Council should first be dealt with by the Council itself, and M. Noblemaire (France) considered that it would not be opportune to take any such decision at present while there were still great States who were not Members of the League. Finally, it was decided to inform the Council unofficially of the discussion.

*Action by the
Assembly.*

38. The Committee's report to the Assembly recommended that the non-permanent Members of the Council should, in future, be elected according to a system of rotation for a fixed period, and that the Assembly should this year renew for the year 1922 the appointment of the present members. In the absence of any decision with regard to the future number of non-permanent Members of the Council, the Committee considered it inexpedient to lay down precise rulings; it suggested, however, an amendment to Article 4, which was adopted, with the object of enabling the Assembly to fix rules for the election, terms of office and conditions of re-eligibility of the non-permanent Members. The resolution as finally passed by the Assembly will be found in Appendix II. (Resolution 32.)

Article 5 (The Principle of Unanimity).

39. On the 6th October the Assembly adopted without discussion the conclusion of Committee I as regards the first paragraph of Article 5 of the Covenant, to the effect that the question of derogations from the principle of unanimity was a matter not yet ripe for consideration (Appendix II, Resolution No. 36). But, as indicated above (paragraph 32), it has been decided that Article 5 does not cover resolutions having in view the amendment of the Covenant.

PROTECTION OF MINORITIES.

40. Professor Gilbert Murray had brought forward the following motion in the Assembly:—"That, in order effectively to carry out the duties of the League in guaranteeing the protection of minorities, the Council be invited to form a Permanent Commission to consider and report upon complaints addressed to the League on this matter, and, where necessary, to make enquiries on the spot." This was referred to Committee I. Having considered the Report of a Sub-Committee the Committee took note that a resolution adopted by the Council on 25th October 1920 met the desire expressed in Professor Gilbert Murray's motion. Professor Murray, therefore, withdrew his proposal.

AMENDMENT OF THE RULES OF PROCEDURE.

Article 20.

41. Lord Robert Cecil (South Africa) proposed in the Assembly an amendment of Article 20 regarding the taking of the "Appel Nominal." This was referred to Committee I, which recommended the adoption of the proposal, with slight modifications. On the 23rd September the Assembly accepted the recommendation, which leads to more expeditious voting. Rule 20 as amended will be found in Appendix II. (Resolution 7.)

Article 14.

42. Committee I was asked by Committee IV to give an opinion on the advisability of an addition to the second paragraph of Article 14 of the Rules of Procedure, providing that resolutions involving expenditure should not be voted by the Assembly before the Financial Committee had given its opinion on the advisability of the proposed expenditure from a ways and means point of view. Committee I, after examination by a Sub-Committee, recommended an addition to the second paragraph of Article 14 in this sense. The proposal was unanimously adopted by the Assembly on the 6th October (Appendix II, Resolution No. 31). *Action of the Assembly.*

Work of Committee No. II. (Technical Organisations: Transit, Health, Economic and Financial: Statistics.)

THE ECONOMIC AND FINANCIAL COMMITTEE.

43. This subject was introduced by interesting expositions from Sir Henry Strakosch and M. Avenol in respect of the work of the Financial Section of the Temporary Economic and Financial Committee.

44. Sir Henry Strakosch admitted that the world situation at present precluded any material alleviating action in regard to such matters as exchange and international credits. The much vaunted Ter Meulen scheme had, he was obliged to admit, hitherto proved a dead letter, no advantage having been taken of it. His explanation was that when the resolution was drawn up, the countries of the world were eager for goods, but had no ready money to pay for them; whereas now, owing to fall in prices, there was a glut. This latter proposition can, probably, only be accepted as partially applicable, and Sir Henry did not mention a very real factor, as against the adoption of the Ter Meulen scheme, that the States whose nationals were to obtain credits thereunder were unwilling to set aside State assets for the redemption of these credits, as the scheme contemplated. Sir Henry Strakosch indicated also that world conditions could not be materially improved till certain nations stopped their present free use of the printing press in supplying themselves with currency, and that it was as yet quite premature to consider a further international valuation of currencies in gold.

45. M. Avenol stated that he and his colleagues, after personal investigation in Vienna, had found that, if Austria received reasonable help, she would be able to help herself towards the recovery of her financial position. He said that the Austrian Parliament, with the full support of all parties, had made large additions to taxation to cover the gap between receipts and expenditure in their budgets, but that their action had been rendered inadequate by delay on the part of the States, who were to forego their liens on Austria, agreeing to suspend these, while the United States, whose assent was necessary, had not yet taken such action. Consequently, there had been a very large further fall in the exchange, which reopened the gap between receipts and expenditure.

46. The Committee then took into consideration the reports of the Economic Section of the Provisional Economic and Financial Committee set up by the Council.

47. M. Ador (Switzerland), acting as *rapporteur* and also as President of the Joint Economic and Financial Committee, proposed to submit to the Assembly the following draft resolution :—

(1) The Assembly is of opinion that the constitution of a definitive Economic and Financial Advisory Committee, as contemplated by the Resolution of the 9th December 1920 on Technical Organisations, is not imperative during the forthcoming year ; but considers that the Provisional Economic and Financial Committee should continue its work until the next Assembly in accordance with the Resolution of the Council of the 19th September 1921.

(2) The Assembly considers it to be of the greatest importance that the Provisional Economic and Financial Committee should carry out the programme of work indicated in the reports mentioned above, including the study of the following questions :—Double taxations, the monetary situation, unfair competition, monopolies, unification of legislation relating to bills of exchange, commercial methods designed to obviate the risks arising from fluctuations of the exchanges. The Assembly also invites the Committee to make a general study of the provision of the Covenant relating to the equitable treatment of commerce.

(3) The Assembly agrees that it is not necessary to convoke at an early date a general Conference for the study of the principal financial and economic questions ; and approves the proposal whereby the Council, if it considers it desirable so to do, may, with the advice of the Provisional Economic and Financial Committee, convoke consultative conferences of restricted scope for the examination of special problems.

(4) The Assembly regrets that the work of the reconstruction of the finances of Austria, in which the Provisional Economic and Financial Committee have been called upon to co-operate, should have been delayed by obstacles lying outside the control, not merely of the Committee, but of the League of Nations itself. The Assembly hopes that these obstacles will shortly be removed.

(5) The Assembly agrees to the proposal that the work of organising the International Credit Scheme should be pursued in the manner set out in the report submitted by the Provisional Economic and Financial Committee to the Council.

(6) The Assembly commends to the serious consideration of the Members of the League the general conclusions of the Report on Certain Aspects of the Raw Materials Problem, especially those calling attention to the effects that may be produced by artificial restrictions and duties on the export of essential raw materials on the economic life of other countries.

(7) The Assembly, recognising the intimate connection between the restoration of transport facilities and the supply and distribution of raw materials, expresses the earnest hope that every effort will be made to expedite the work of the various Commissions charged with such matters as reallocation and interchange of rolling stock in certain parts of Europe.

(8) The Assembly invites the Advisory and Technical Committee on Communications and Transit to consider the desirability of action being taken, under the provision which empowers the Council to call partial or regional Conferences to consider special matters, with a view to promoting the improvement of facilities for inter-communication and transport between those States whose transport systems have specially suffered from disorganisation.

48. It will be seen that the raw materials question was mainly dealt with in clause 6 of the draft resolution, which refers to a report on the raw materials problems printed in Appendix III (Annex 1). This report will repay perusal, and special attention is invited to the fact that the Economic Section fully endorse the view which Sir William Meyer expressed last year on behalf of India as to the incontestable right of States to dispose freely of their internal resources and, in exceptional circumstances, to reserve these to themselves ; also to impose export duties, where this was deemed necessary, as a means of

raising revenue. They likewise condemned any scheme of international rationing. Consequently, clause 6 of the resolution was of no danger to India, and indeed strengthens her position. The passage at the end of the clause as to artificial restrictions and export duties does not apply to India's policy, but to one deliberately intended as a means of economic warfare and to special differentiation against particular nations.

The word "especially" which introduced this passage was, however, on an amendment by Sir George Perley (Canada) altered to "including" which is an improvement.

49. There was a long discussion on the various clauses, and it will suffice to note that (a) the representatives of Serbia, Italy, France and Brazil were emphatic about the necessity of remedying the disorganisation of the world's credit and exchanges, but made no practical suggestions as to how this excellent object was to be attained; (b) the Japanese delegate (M. Adatci) pressed for an addition, with reference to the last sentence of clause 2, which invites the Economic and Financial Committee to make a special study of the provisions of the Covenant (Article 23 (e)) relating to "the equitable treatment of commerce." M. Adatci wished to hasten things, and proposed that the Committee should proceed to this at once, and formally draft a convention which might be approved by the next Assembly.

Sir H. Llewellyn Smith and M. Ador deprecated undue haste in regard to this delicate matter, and pointed out that the actual meaning of the term "equitable treatment for the commerce of all Members of the League" in Article 23 (e) of the Covenant was open to various interpretations. Did it, for instance, on the principle of *ejusdem generis*, refer primarily to freedom of communications and transit, or did it go further? M. Adatci accepted a proposal by Sir H. Llewellyn Smith that there should be no mention of a convention, but that the Provisional Economic and Financial Committee should be asked to report as soon as possible.

It may be mentioned in this connection that the words "unfair competition" used in clause 2 of the resolution refer, as will be seen from the Raw Materials Report, to false trade marks, actions of private traders, such as giving incorrect descriptions of goods, etc, and that the word "monopolies" apparently refers to the operations of commercial trusts and does not apply to Government monopolies such as salt, tobacco, or, in India, opium production.

50. After a lengthy discussion on various suggestions, which were more of wording than of substance, it was finally decided to refer these suggestions to the consideration of a Sub-Committee consisting of M. Ador (Switzerland), Sir H. Llewellyn Smith (Great Britain), M. Ferraris (Italy), M. Hanotaux (France), and M. Adatci (Japan). If they were agreed in regard to amendments (of form, not of substance) to the resolution, they might be treated as plenipotentiaries of the Committee, and the resolution, as amended by them, could be submitted to the Assembly without a further full meeting. If, however, there were divergences of opinion, Committee II would meet again. It was understood that any member of the full Committee dissatisfied with conclusions which the drafting Committee had arrived at, would be at liberty to ventilate the question in the Assembly.

51. At the meeting of the Assembly on the 28th September, M. Ador (Switzerland) brought forward the resolutions as finally drafted, and they were passed unanimously. These will be found in their final form in Appendix II, Resolution No. 13. There were some alterations in wording as compared with the original draft, which are indicated in italics.

Action by the
Assembly.

COMMUNICATIONS AND TRANSIT.

52. After an opening speech by M. Hanotaux (France) dealing generally with the proper functions of the technical organisations of the League, M. Adatci (Japan) made an *expose* of the report of the Advisory and Technical Committee on Transport with reference to the decisions come to at the Barcelona

Conference, and a resolution for submission to the Assembly was carried to the following effect:—

“Without prejudice to the terms of paragraph 4 of section I, of a Resolution of 9th December 1920, relating to the Organisation for Communications and Transit, the general conferences on communication and transit shall meet, as of right, at the seat of the League, on the request of one-third of the Members of the League. Such request shall be addressed to the Secretary-General of the League, and the Agenda of the Conference should be attached to the request. It shall be the duty of the Secretary-General to convene the Conference.”

The effect of this was that, whereas under the arrangements come to last year, a new general conference on communications and transit could only be called by an unanimous decision of the Council, there would now be an alternative method of having it summoned at the request of not less than one-third of the total number of constituent States of the League.

It may be noted that, as regards the additional protocol to the Waterways Convention drawn up at Barcelona last spring, which it had been decided that Sir William Meyer might sign on behalf of India, it was not possible for him to do so, as the necessary full powers had not arrived at the time the Assembly broke up.

53. Two other resolutions, put forward by M. Adatci, were also carried. The first of these expressed satisfaction at the fact that a number of States had already carried out the recommendations of the Conference held in Paris in October 1920 as regards simplification of formalities connected with the obtaining of passports and visas, the reduction of passport prices, and the unification of passport regulations. The resolution went on to draw the attention of all States which had not yet progressed in this direction to take similar measures.

The second asked that all possible facilities should be given to the members of the various committees of the League in the matter of passports, particularly as regards visas and the period of their validity.

54. M. Avramovitch (Serb-Croat-Slovene State) drew attention to the fact that the Technical Committee appointed by the Conference at Barcelona, which consisted, besides the four representatives of States permanently belonging to the Council of the League, of 12 other members elected by the Conference, did not include any representative of the Danubian States, although these were most materially interested in questions of international transit, etc. He took note of the remarks of M. van Eysinga (Netherlands), who is President of this Technical Committee, that they were endeavouring to remedy this to some extent by calling in, as technical assessor, a Serb representative. M. Avramovitch was, however, not satisfied with this. He wanted actual representation on the Committee, and put forward a resolution that the Assembly should take steps to add to the Committee one representative at least of the Danubian States. This proposal was criticised by Sir William Meyer and other delegates, *e.g.*, M. Hanotaux (France), M. Adatci (Japan) and M. van Eysinga (Netherlands), on the ground that while they felt full sympathy with the position of the Danubian States, and regretted that the Barcelona Conference did not give them representation on the Technical Advisory Committee, they could not agree to go outside the constitution of that Committee as laid down by the Assembly last year, one of the Assembly's objects having been to keep down the numbers.

Sir W. Meyer pointed out, too, that Article 293 of the Treaty of Trianon provided for a Special Commission on the Danube waterways, and that the Council had taken steps to call it into existence.

M. Avramovitch's resolution was rejected in favour of one proposed by M. Hanotaux (France) to the following effect:—

“The Assembly takes note of the designation by the Advisory Committee for Communications and Transit of a railway expert national of a riparian State of the Danube, and invites the Committee to proceed also, in its next session, to the designation of one or more than one other experts, specially

qualified in the different matters dealt with by this Committee and nationals of other riparian States of the Danube."

55. The resolutions were brought up by M. Adatci at the Assembly on the 22nd September. The first, referred to in paragraph 52 above, which provided for a conference to meet at any time at the request of not less than one-third of the constituent States of the League, was amended at the suggestion of Sir George Perley (Canada) so as to make the requisite number one-half. The other resolutions referred to in paragraph 53 above were passed as they stood, and are printed in Appendix II, Resolution No. 6. *Action by the Assembly.*

THE HEALTH ORGANISATION.

56. This subject was dealt with by the Assembly last year, when it was proposed to bring the *Office International d'Hygiene Publique*, in Paris under the control of the League. The organisation to be set up was:—(a) A General Committee, which was in effect the body of representatives of the *Office International*; (b) a Standing Committee, which was to be constituted thus:—Five members elected by the General Committee (*i.e.*, by the *Office International*) having regard to their scientific attainments and to geographical representation, the President of the General Committee, a representative of the League of Red Cross Societies, and a representative chosen by the Governing Body of the Labour Organisation; besides four representatives of the States permanently sitting on the Council of the League. That made in all 12 members.

The scheme had broken down because the United States declined to have anything to do with the League, and the *Office International*, to which the United States of America belongs, must, therefore, remain independent. The solution now put forward was that the League should constitute its organisation independently, and that the personnel of this organisation should, to a large extent, be drawn from the *Office International*. The proposal of the Council was that the Provisional Technical Committee should be composed of not more than 12 persons, invited to sit on the strength of their technical qualifications (and not of their nationality), together with a representative of the International Labour Office and one of the League of Red Cross Societies—in all 14 members, as against the original 12.

57. M. Rivas Vicuna (Chile), who was the *rapporteur*, put forward the following draft resolution:—

"The Health Organisation of the League shall provisionally include a Health Committee, the Secretariat of which, appointed by the Secretary-General of the League of Nations and responsible to him, shall be controlled by a Medical Director.

"The Epidemics Committee of the League shall form one section of the Health Committee."

The Portuguese delegate took exception to this, and Sir W. Meyer supported him, pointing out that the Council had materially altered the composition of the Committee as laid down by the Assembly last year. All mention of selections being made with reference, *inter alia*, to geographical considerations—a criterion which India strongly pressed last year and which the Assembly approved—had now disappeared from the Council's proposal for the constitution of the Technical Committee; and the latter now included 14 members, whereas the Assembly, in the interests of economy, had resolved to limit the Committee to 12.

Sir W. Meyer said that he did not consider the action of the Council to be in accord with the Assembly's policy, and that the Assembly ought not to submit to its being thus set aside. He recognised, in answer to representations made by the President of the Paris *Office International* (M. Velghe), who was present and was invited to address the Committee, and others, that the matter was urgent, having regard to the present position in respect of epidemic disease, but that did not justify the Committee in practically advising the Assembly to abrogate its functions. He suggested, therefore, the addition of a

rider to the draft resolution to the effect that, in view of the urgency of the situation in respect of international health, the Assembly accepted the constitution of the Technical Committee proposed by the Council, but that it did so without prejudice to its full right of control over the constitution of Standing Committees. With some modification of wording this proposal was carried as also an amendment by Sir Rennell Rodd in respect of amplification of the original resolution.

The representative of Denmark (Mlle. Forchhammer) pleaded that an International Committee should include at least one woman member, and this, though opposed by the President, found favour with the Committee generally.

Finally, a Sub-Committee was appointed, consisting of M. Rivas Vicuna, Sir Rennell Rodd, M. La Fontaine and Sir W. Meyer, to come to a general agreement in regard to the precise drafting to be put before the Committee at its next meeting.

58. There was also some discussion as to the danger of overlapping as between the Paris International Body and the League's Committee, and Sir W. Meyer asked whether it might not be preferable to work through the former and to give them a subvention. The latter proposal did not, however, find favour, and as regards the former it was agreed that, in view of the urgency of the situation, matters had better stand as proposed till next year.

*Action by the
Assembly.*

59. At the Assembly meeting on the 8th October M. Rivas Vicuna (Chile) submitted, with an explanatory report, the resolution as finally drafted by the Sub-Committee and approved by the full Committee. It was carried unanimously, with a reservation by the Portuguese Delegation, under instructions from its Government, as to the future settlement of difficulties which it considered might arise by reason of the separate functions of the International Health Office in Paris and the League Organisation. The resolution in the form adopted by the Assembly is printed in Appendix II. (Resolution No. 37.)

THE ORGANISATION OF INTERNATIONAL STATISTICS.

60. This item had been placed on the Agenda at the request of the Netherlands Government. M. Ferraris (Italy), as *rapporteur*, submitted a lengthy *exposé*, and the Committee voted a resolution, which had been tabled by the representatives of Great Britain, France, Italy and Switzerland. The principal recommendations contained in this resolution were those that commended to the Technical Organisations of the League the conclusions of the Economic and Financial Committee for the purpose of avoiding overlapping, and decided that statistics in the scientific sense will not be undertaken by the League so long as the question of the organisation of international statistics has not been decided, and that this question is entirely deferred until the next session.

Sir W. Meyer had previously been consulted about the resolution, and said that it would quite meet the objections of the Government of India, as set forth in Mr. Innes' letter of 4th August last to the Under Secretary of State, in which that Government took exception to the proposals suggested by both the majority and minority reports of the International Statistical Commission of 1920.

*Action by the
Assembly.*

The resolution was adopted by the Assembly without discussion on the 27th September. (Appendix II, Resolution No. 12.)

Work of Committee No. III (Armaments, Economic Weapon).

ARMAMENTS.

61. The Committee first of all discussed matters arising out of the Report of the Temporary Mixed Commission (including Civilian representatives as well as Military, Naval and Air experts) on the Reduction of Armaments.

The report began with a short statement on the present political situation of the world, and the difficulties which had to be encountered. In the present position of the world, it would be idle to hope for simultaneous disarmament.

The report then alluded to the Washington Conference, and to the precarious financial condition of the world, a condition which necessitated a reduction of armaments.

The Commission had divided itself into three Sub-Committees; the first had considered the questions of private manufacture, and the arms traffic; the second had examined the right of investigation and mutual control; the third had undertaken a statistical enquiry.

The report of the third Sub-Committee emphasised the necessity for a statistical enquiry to show the extent of military and naval expenditure in the various countries, and the diminution or increase of armaments. The Sub-Committee had been unable to put forward any definite scheme of statistics; it had merely outlined the guiding principles of such an enquiry, and had prepared a draft of a *questionnaire* which was doubtless far from perfect, but calculated nevertheless to furnish very valuable information.

As regards the private manufacture of arms, the first Sub-Committee had not come to any definite conclusion, but it had nevertheless clearly shown the desirability of conducting an exhaustive enquiry, with a view to the preparation of a code of rules regulating private manufacture, which, when drawn up, could be submitted to the various Governments. This code should be adopted by all nations whether they belong to the League of Nations or not, for, supposing that any country—the United States, for instance—did not conform to it, any attempt at control would be useless.

The report then dealt with the arms traffic question in the light of the Convention of St. Germain, which was signed by the United States.

62. In Committee III, M. Schanzer (Italy) moved a resolution approving the statistical enquiry into armaments. This was amended, and re-drafted by Lord Robert Cecil at the request of the Committee, which then proceeded to deal with the question of the private manufacture of arms. With reference to the proposal of the Temporary Mixed Commission that an International Conference should be held on this subject, Lord Robert Cecil, supported by the delegates of the Netherlands, Norway and Siam, suggested that the Conference should be held in June next. This was, however, rejected by 10 votes to 7, and the proposal of the Temporary Commission, amended by M. Schanzer, was carried in the following form:—

“The Assembly requests the Council to invite all the Members of the League, and interested States which are not Members of the League, to take part in an International Conference on the private manufacture of arms and on the traffic in arms, which should meet as early as possible, at a date to be fixed under the responsibility of the Council. It is considered highly desirable that this date should be prior to the next session of the Assembly. The Temporary Mixed Commission should be entrusted with the task of preparing the programme of the Conference and of submitting to it a draft convention.”

The Committee then adopted three draft resolutions proposed by Mr. Fisher, urging upon the Governments early signature and ratification of the Arms Traffic Convention, and inviting the Council to prepare a draft protocol making provision for excluding the import of arms and ammunition in time of peace from countries in which the traffic is uncontrolled.

Lord Robert Cecil proposed a motion in regard to the destruction of surplus stocks of munitions. Mr. Fisher pointed out that the adoption of such a proposal would depend on the ratification of the Convention of St. Germain. It was decided that Lord Robert Cecil and Mr. Fisher should jointly draft a motion with reference to this matter.

63. Eight resolutions proposed by Lord Robert Cecil regarding armaments were then considered. The first, expressing a desire that the Temporary Commission should continue its work, was adopted without discussion.

The second requested the Commission to propose a scheme for the limitation of armaments, to be presented to the next Assembly in the form of a draft treaty, which should be published by the end of June 1922. Much discussion took place on this resolution, exception being taken to its terms

chiefly on the grounds that under the Covenant the duty of formulating plans for national limitations was placed upon the Council, and that the task it was proposed to lay upon the Temporary Commission was too heavy. Finally, the principle was accepted, but the word "Council" was substituted for "Assembly," and a rider by M. Schanzer was added requesting the Council to reinforce the composition of the Temporary Mixed Commission.

The third resolution proposed to forward once more to all Members of the League the recommendation of the First Assembly that States should not "exceed for the next two financial years following the present year the sum total of expenditure on military, naval and air forces provided for in the budget of that year". This was accepted with the proviso that it should again take the form of a recommendation and not of a resolution.

The fourth resolution, which proposed that all rights of investigation conferred upon the Council by Article 213 of the Treaty of Versailles should be made applicable to Members of the League as soon as a scheme for the reduction of armaments had been accepted, was opposed by M. Reynald (France) and Mr. Fisher. Lord Robert Cecil thereupon withdrew it.

The fifth extended a welcome to the Washington Conference, and was adopted with slight amendments.

The sixth made an appeal to men of science to publish their discoveries in poison gas and similar matters, as this would militate against the use of such discoveries in war. Mr. Fisher pointed out the futility of such a resolution, and as finally amended and passed it referred the advisability of making such an appeal to the consideration of the Temporary Mixed Commission and the Permanent Advisory Commission.

The seventh and eighth resolutions, urging the desirability of propaganda in favour of the reduction of armaments and the necessity of strengthening the Secretariat organisation, were carried with slight amendments.

*Action by the
Assembly.*

64. The report of the Committee is printed as Appendix III, Annex '2, and contains in its last portion a striking description of the general position in respect to armaments and the possibilities of future advance in the way of reduction. It was presented to the Assembly by Lord Robert Cecil on the 1st October, and led to a lengthy debate. Lord Robert Cecil initiated this, and gave a full explanation of the genesis and scope of the recommendations submitted.

Mr. Bruce (Australia) laid stress on the anxiety of his country with its 12,000 miles of seaboard, to have the armaments peril dissipated, and Mr. Branting (Sweden) supported the general thesis of the Committee, as also M. Schanzer (Italy). M. Noblemaire (France) made a very fine speech, stating that his Delegation adhered without reserve to the proposals before the Assembly. France remained pacific, and it was not her fault if the League had not been given adequate means to ensure peace. She was willing to go as far as possible to realise a plan for the limitation of armaments, but there must be two necessary conditions—the completion of the disarmament of certain nations in conformity with the treaties and the organisation of a right of investigation. France was industrious and peaceful. Why should there not be a place for a peaceful and free Germany? France desired the reparations due to her under the treaties of peace and under the Covenant. She must have securities for the future, and she had already accomplished what might be called moral disarmament, but this had not been the case as yet with Germany. Her motto was, "*Si vis pacem, para pacem.*"

Mr. Fisher (Great Britain) congratulated M. Noblemaire on his speech, and agreed with a remark by M. Branting (Sweden) that regional understandings would do much towards the establishment of a lasting peace.

The resolutions put forward by the Committee were finally embodied in a resolution proposed by M. Schanzer (Italy) which was passed unanimously. (Appendix II, Resolution No. 19.)

ECONOMIC BLOCKADE.

65. A report had been submitted on this subject by a Special Committee appointed by the Council. This body indicated the difficulties in the application of Article 16 of the Covenant, *e.g.*, that great exporting countries are still outside the League; that the cutting off of food supplies of the civil population of a defaulting State is an extremely drastic measure, which ought only to be applied in the last resort; and that it is difficult for an independent State to accept without question, the opinion of the Council, or of a majority of the Members of the League, as to a violation of the Covenant having taken place. On the other hand, it was necessary for all States alike to apply punitive measures.

66. The proposals of the Special Committee gave rise to a good deal of discussion on various suggested amendments, and it was decided to ask M. Schanzer (Italy), with the assistance of Lord Robert Cecil, to draft a report on the matter.

67. The report finally evolved is printed as Appendix III (Annex 3), and will repay perusal. The main resolution was that which proposed that Article 16 of the Covenant should be re-drafted as follows:—

Article 16.

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

(2) Nevertheless, the Council may in the case of particular Members postpone the coming into force of any of these measures for a specified period where it is satisfied that such postponement will facilitate the attainment of the object of the measures referred to in the preceding paragraph, or that it is necessary in order to minimise the loss and inconvenience which will be caused to such Members.

(3) It shall be the duty of the Council to recommend to the several Governments concerned what effective military, naval or air force the Members of the League shall severally contribute to the armed forces to be used to protect the Covenants of the League.

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

(5) The Council has to give an opinion as to whether a breach of the Covenant has taken place or not. When the Council gives such an opinion, the votes of the State charged with having committed a breach of the Covenant and of the State bringing the charge, no matter whether these States are Members of the Council by virtue of Article 4, paragraph 1 of the Covenant, or have been specially summoned, shall not be reckoned in determining whether or not there has been a unanimous decision.

(6) Any Member of the League which has violated any Covenant of the League may be declared to be no longer a Member of the League by a vote of the Council, concurred in by the representatives of all the other Members of the League represented thereon.

Clauses (1), (3), (4) and (6) correspond to those of the existing article, save that in clause (1) for the word "nationals" has been substituted "persons residing in the territory of a Covenant-breaking State" or other States.

Clause (2) is new, and provides for delay in carrying out the measures requisite on the part of States which are specially circumstanced, *e.g.*, small States which abut on a large Covenant-breaking Power and might be subject to hostile action on its part.

Clause (5) indicates that when the Council has to take a decision, the votes of States which are charged with having committed a breach of the Covenant and of their accusers shall not be reckoned.

There were also various subsidiary and explanatory resolutions.

The second of these, apart from the amendment to Article 16, which was separately tabled, dealt with questions of procedure, and emphasised the point taken last year that each State must in the last resort decide for itself whether there has been a breach of the Covenant sufficient to justify its taking part in effective measures. If, however, it decides that there has been such a breach, it is bound to take adequate action.

The third, apart again from amendment of Article 16, related, *inter alia*, to the date at which effective measures should be undertaken, and provided that that date shall be fixed by the Council. It interpreted the word "immediately" in the first clause of Article 16 as meaning really "action as soon as possible."

The fourth explained the measures to be adopted prior to and during the actual economic blockade.

68. The report of the Committee occupied the greater part of two sittings of the Assembly on the 26th September.

Action by the
Assembly.

It was decided that, as regards the substantive amendments to Article 16 of the Covenant proposed by the Committee (to which M. Reynald, of France, took exception in respect of the substitution in the first paragraph of "persons residing in their territory" for "nationals,") specific amendments to the Article should be held over pending their consideration, from a drafting point of view, by Committee No. I.

69. At a subsequent meeting the Assembly had before it the conclusions of Committee No. I, regarding the substantive resolutions amending Article 16 of the Covenant.

A supplementary resolution had been put in to the effect that the main resolutions on the subject of the economic blockade should only be regarded as provisional rules for guidance until the amendment of Article 16 has been definitely carried out as provided by Article 26 of the Covenant.

The Assembly finally passed, with drafting modifications suggested by Committee I, the resolutions involving amendments to the Covenant, with no dissentient votes, though there were some abstentions and absentees. The resolutions of the Assembly on the whole subject of economic blockade, including the subsidiary resolutions, will be found in Appendix II, Resolution No. 22.

Work of Committee No. IV (Finance and Organisation).

ORGANISATION OF THE SECRETARIAT AND OF THE INTERNATIONAL LABOUR OFFICE.

70. At the meeting of the 8th September the early paragraphs of the Report of the Special Committee on Organization, appointed on the recommendation of last year's Assembly, were taken up. Copies of this report were sent by Sir W. Meyer to the India Office and to India, and it need not be reproduced here. M. Noblemaire (France), who was Chairman of that Committee, was the French representative on Committee IV, and Colonel Johnson, of the British Treasury, who had been M. Noblemaire's principal coadjutor and had drafted the Special Committee's report, also attended.

Committee IV started by dealing with a suggestion by the Noblemaire Committee that considerable economy might be effected if the seat of the League

were moved to some less expensive place than Geneva. The Swiss representative (M. Usteri) naturally took exception to this, and maintained that Geneva was not more expensive than sundry other places. Some delegates observed that the seat of the League must be determined by political as well as financial considerations; that if there was any question of moving it, it was for the Council to take action, and the Council were now in possession of the remarks of M. Noblemaire's Committee. Finally it was decided, on a proposal by Sir Rennell Rodd (Great Britain), that as the question of the seat of the League was not governed exclusively by financial considerations, the Committee, while taking note of the opinion expressed by the Committee of Experts regarding the cost of living in Geneva, left the question to be decided elsewhere.

71. The Noblemaire Committee had drawn attention to the large amount of postal and telegraph charges, and pointed out that these were swollen by the high rates prevailing in Switzerland. They suggested that the Swiss Government should be approached in order, if possible, to obtain a reduction in postal and telegraph rates, but Colonel Johnson had to admit that the suggestion they made of a specially reduced rate for League correspondence would throw a heavy burden on to Switzerland, as she would have to pay the same amount she does now to the countries over which such correspondence is carried.

As regards telegrams, it had been suggested that these might be charged for at the reduced rates given to diplomatic messages. The Swiss representative on the Committee (M. Usteri) said that Switzerland would be ready to examine this suggestion sympathetically, and it was decided that the Secretary-General should make the necessary overtures.

72. In respect of paragraph 18 of the Report, which deals with salaries, Sir William Meyer pointed out that, if the Committee were to accept a resolution regarding the composition of the Secretariat, which he proposed to bring forward on a later occasion, it would no longer be necessary to base the rates of salaries of the Secretariat upon those of the British Civil Service, as the number of British civil officials employed in the Secretariat would eventually be so considerably diminished that it would be possible, in their cases, to give a special personal allowance, while the pay of the staff as a whole could be based on the more economical scale which applies on the Continent. This suggestion did not find favour. It was, however, admitted that the rates of salary laid down in Appendix II to the report must be reduced with reference to the recent reduction in the emoluments of the British Civil Service, and a revised scale embodying 75 per cent. of the reduction effected in England was agreed to. It was explained that the variable proportion of salaries was intended to meet the cost of living, *plus* expatriation allowance, and that this would not be affected.

Sir William Meyer asked Colonel Johnson whether his Committee had considered not merely the competence of the higher officers to perform their work, but whether, in some cases, this work could not be as satisfactorily done by lower paid employes. Colonel Johnson replied that he was satisfied that there was no waste of power and money in that respect; this assurance had to be accepted for the present.

73. Some discussion took place on the proposal, in paragraph 24 of the Report, that a Salaries Adjustment Committee to be set up should contain three representatives of the staff of the Secretariat and three of the International Labour Office. A Canadian proposal that business would be expedited by cutting these representatives to two in each case was eventually withdrawn. The down Report proposed that the States of the League should be represented on the Salaries Adjustment Committee by arbitrators not members of the staff, whose decision would be final in any question of disagreement, so that the staff representatives are rather assessors than complete members. Moreover, any recommendation made by the Committee would be submitted to the Council, or, in the case of the International Labour Office, to the Governing Body, for their approval. M. van Eysinga (Netherlands) asked who would decide in the case of disagreement between the arbitrators, to which M. Noblemaire (France) replied that the decision would rest with the Council or the Governing Body of the Labour Office, as the case might be. Sir W. Meyer suggested that

three arbitrators should be appointed instead of two, to facilitate settlement of differences, but this was not accepted. He also criticised the proposal to make a reference to the Governing Body of the Labour Office final, and pointed out that it had been definitely settled last year that that body was subordinate to the Council and to the Assembly. Sir James Allen supported him on this point, and suggested that, in regard to the Labour Office, the report of the arbitrators should be submitted *through* the Governing Body to the Council, otherwise, apart from the general question of prerogative, there might be divergent decisions *qua* the Secretariat and the Labour Office. After some discussion, M. Adatci (Japan) proposed the following resolution:—

“The Committee, being desirous of confining itself to practical questions, has decided not to enter on a discussion of the relations between the International Labour Office and the Council of the League of Nations.”

After a harangue by M. Albert Thomas (Director of the Labour Office) on the functions and prerogatives of the Labour Organisation, M. Adatci's proposal was carried, with the following rider, by the delegate of Brazil:—

“This conclusion must conform to the general provisions of the Budget adopted by the Assembly.”

74. Paragraph 30 of the Report dealing with expatriation allowance was then considered, and approved. Sir William Meyer pointed out that this allowance appeared to be 50 per cent. on salary, in many cases, after allowing for the increased cost of living in Geneva, and compared this with the far smaller Indian overseas allowance. He also asked how the total calculation was made up: whether, for instance, a British salary of 200*l.* a year became 200*l.* *plus* 20 per cent. (40*l.*) for the cost of living, *plus* 50 per cent. of 240*l.* = 360*l.* The reply was that 200*l.* becomes 300*l.* *plus* 20 per cent. of 200*l.* = 340*l.* With reference to the proposal in paragraph 31 of the Report that Governments should be asked to exempt their nationals employed in the Secretariat from income tax, Sir William Meyer pointed out that if this were done the salaries annually paid would be in fact considerably more than the salaries paid in the British Civil Service, as a British civil servant was heavily mulcted in income tax. The question of agreeing to the proposals in the Report was then put to the vote, and carried.

75. On the subject of paragraph 35, regarding the desirability of fixed scales of subsistence allowances for experts and others who compose the advisory and technical bodies, Sir Herbert Ames (the Financial Director of the Secretariat) stated that, in fact, the subsistence allowances paid to those visiting Geneva to assist in the work of the League varied from 70 to 125 gold francs. He said that the Secretariat was of opinion that a fixed rate of 70 gold francs (corresponding roughly to 80 Swiss francs) was desirable, but it was a matter which could only be settled by the Assembly, as these varying rates had been approved by the Council when they had set up the different Commissions. It was eventually decided to adopt a resolution to the effect that a fixed rate of 70 gold francs should be definitely laid down, except in cases where any especially eminent persons were invited to preside over Conferences, in which case the Council would be empowered to make special arrangements.

76. On the 19th September the Committee proceeded with the consideration of paragraphs 36—39 of the Expert Committee's Report, in which it was recommended that the sumptuary allowances of certain high officials of the Secretariat, *viz.*, the Secretary-General, the Deputy Secretary-General, and the Under Secretaries, should be reduced, and that the Secretary-General should, for the present, receive a special allowance of 1,000*l.* a year in lieu of the free house to which he is entitled under the terms of his engagement.

As regards the sumptuary allowances, the high officials in question can retain the whole of their existing allowances for the present under their contracts, and it is much to their credit to have consented to give up a portion.

As against such surrender, it was proposed that there should be a general Entertainment Fund or “pool,” to be administered by an officer of the Secretariat specially appointed for this purpose, and to provide funds for entertainments outside the scope of the reduced sumptuary allowances. Having

ascertained that the officer to administer the "pool" would be drawn from the existing staff and not represent a fresh appointment, Sir William Meyer carried an amendment laying down that the total amount to be credited to the "pool," should not exceed the total of the sums surrendered by individual officers, otherwise the "pool" might lead to increased expenditure.

Sir Rennell Rodd (Great Britain) proposed that the officer administering the "pool" should also be entrusted by Members of the League with the task of making arrangements regarding accommodation of their representatives and officials visiting Geneva, and pointed out that this ought to lead to material economy, since at present individual representatives or delegations were at the mercy of Swiss hotel-keepers. This, also, was carried.

77. Discussion then took place on a resolution tabled by Sir William Meyer, in regard to the enormous preponderance in the Secretariat and the Labour Office of representatives of Great Britain, France, and Switzerland, and the inadequate, or absolute lack of, representation of the various other countries, India, for example, having only one clerk in the Secretariat and no representation at all in the Labour Office. The text of this resolution, which was based on tables compiled from information furnished by the Secretariat itself, is printed in Appendix IV (Annex 2).

It was not expected that the resolution would be carried as put forward, since it prescribed maximum percentages for each country, but it was very desirable to ventilate the question as a means of putting pressure on the Secretariat and the Labour Office. The resolution called forth speeches from Sir Eric Drummond and M. Albert Thomas, the head of the Labour Office, who had attended, in which they held that it was impossible to have a rigid application of the principle of national representation, that it was inevitable that, as English and French were the official languages, those two countries should have a specially large representation, and that the Swiss representation was in the interests of economy, being largely applied to minor posts, which it would cost more to fill up from abroad.

After some discussion Sir George Perley proposed the following as a substitute for Sir William Meyer's resolution:—

"That it is extremely desirable, especially in the higher administrative positions, that the Secretariat of the League and of the International Labour Office should, as far as possible, be recruited in fair proportions from the various States Members of the League, and that this principle should be carefully borne in mind in filling future vacancies, always having regard to the requirements of efficiency."

This resolution was accepted by Sir William Meyer, and carried unanimously.

It may be mentioned that M. Thomas has already acted on it by asking Sir Louis Kershaw to advise in the selection of an Indian for a fairly important post in the Labour Office.

78. With reference to the proposal in paragraph 46 (a) of the Report, that the higher officials—those of the rank of Directors and upwards—should not hold office for more than seven years, some discussion arose as to whether extension of service might not be granted to such officers, if they were specially valuable.

It was decided that when an officer's time had elapsed his engagement should be taken as definitely terminated, but that, for special reasons, he might obtain a fresh engagement.

79. With reference to paragraphs 48—52 of the Report, it was agreed that the normal period of service should be 28 years for the subordinate staff and 21 years for the intermediate staff, *i.e.*, those below the high officials already mentioned. It was decided, however, that an officer of this intermediate class, or upper division as it may be called, might normally continue up to 55 years of age, if that would be necessary to complete his 21 years' service.

80. Discussion then took place on the deferred pay scheme set forth in Appendix IV to the Report, the gist of which is that employes should contribute

a proportion of their salaries, say 10 per cent., to what may be called a Provident Fund; that this fund should be swelled by equal contributions from the purse of the League; and that on retirement an officer would normally get the amount of his contributions *plus* the League's addenda with compound interest on the same.

It was generally accepted that such a scheme was desirable, but various points were raised as to its specific application, *e.g.*, as to whether a uniform 10 per cent. contribution was a fair one, and whether it would not be preferable to have higher contributions from the higher officials and lower from others. Finally, it was decided to accept the principle of the scheme, but to refer the working out of specific proposals to the Salaries Adjustment Committee referred to in paragraph 73, with instructions to report in time for the matter to be finally decided next year.

M. Reveillaud (France) and Mr. Bruce (Australia) pointed out the desirability of having the funds for this deferred pay scheme separately banked, and the Australian delegate made the further suggestion that it would probably be more economical to make terms for eventual payments to the staff with some big insurance office, especially in the case contemplated by the Noblemaire Committee of the amount standing to an officer's credit, if large, being converted into an annuity. These points will also be considered by the Salaries Adjustment Committee.

81. With reference to paragraph 42 of the report, exception was taken to the underlying idea that recruitment for the League staff should ordinarily be by competitive examination, special selection by the Secretary-General to obtain adequate representation of Member States in the League offices being put in quite a subsidiary place.

Sir William Meyer and other delegates pointed out that this was not in accord with the resolution recently adopted (*vide* paragraph 77 *supra*), since a competitive examination, in regard to which centres would necessarily be in Europe, would handicap distant countries very much.

Sir Eric Drummond explained that all he contemplated was the maintenance of the existing system of competition in regard to posts which it would be advantageous to fill up locally, *e.g.*, translators and stenographers. He would be constantly guided hereafter by the resolution above referred to. Finally, it was agreed to accept a proposal by M. Noblemaire that, instead of "competitive recruitment or selection" at the close of the first sub-paragraph of paragraph 42, the Committee should adopt "a system of recruitment based on the principles contained in paragraphs 42—54."

82. As regards paragraphs 57—60, the Committee accepted the idea (put forward in its essence by the Indian Delegation last year, but then rejected) of a Special Committee of Financial Control, which would afford outside criticism analogous to that which in nearly all countries vests in the Ministry of Finance; and sometimes also in a Parliamentary body. It was decided that the members of this Special Committee should be five in number (a subsequent decision reduced this to three), and adequately representative of States of the League other than those permanently represented on the Council.

The Committee, however, rejected the proposal in paragraph 60 of the Noblemaire Report that to this Committee should be attached a special financial expert, to act as its *rapporteur*, who would also be responsible for the audit control. It was held that there was no occasion to add a highly paid officer, who would hold office for five years, to the establishment of the League, since the members of the Committee of Control would certainly include men of adequate financial experience, and that the audit arrangements could be carried out otherwise. The existing "appropriation officer" was to be continued and to obey any instructions which might be issued to him by the Committee of Control.

83. Considerable discussion arose as to the character of the audit, and whether it would not suffice to have, as at present, an appropriation officer. It was argued with force that, although the proposal to have a special financial

expert had been rejected, it was still necessary to have an outside auditor. This proposal was rejected by 12 votes to 11, the British Empire Delegations voting in the minority.

As regards paragraph 65, the proposal for altering the financial year to a period commencing with 1st October was rejected, there being only two votes in its favour.

84. There was considerable discussion over the "working capital fund." This title is really a misnomer. The fund is not meant to provide for capital expenditure; it is just a provision to meet the contingency that, owing to subscriptions coming in slowly and certain States not paying their dues, the League should have a reserve fund from which to provide for outlay pending the getting in of revenue. It would be better described as a working balance. The old title was, however, retained, and discussion centred round the point whether the International Labour Office should have a separate working capital account. M. Thomas emphasised the necessity for meeting authorised expenditure of the Labour Office and its independence of the Secretariat, but stated that, on behalf of the Governing Body of the Office, he would be quite satisfied with a general working capital fund, provided it was understood that the Labour Office should be entitled to its due share, and this was carried.

85. As regards the question of the number of Directors of Sections in the Secretariat, the position is that the present sanctioned number is nine, and the Committee proposed to reduce this to six, but with a special officer for the Legal branch, who would practically be a Director, so that the real number is seven. The Financial Director, it may be observed, would, under this scheme, eventually be replaced by a *Chef de Service*, working directly under the Under Secretary. The number of Under Secretaries was to be reduced from two to one, and a vacancy having occurred by the selection of one of these—M. Anzilotti (Italy)—as a Judge of the Hague International Tribunal, it was possible to carry this into immediate effect.

In the course of the discussion, Sir Eric Drummond, supported by Colonel Johnson, said that while he was willing to consider eventually the proposal that there should be one general Director for work in connection with (a) Administrative Commissions, etc., and (b) Mandates, he did not think that this suggestion could be confidently accepted at present. It was decided that it would be open to the Secretary-General, if he considered that he had full justification for two separate Directors, to place the matter before the Council and the Assembly. In any case, a reduction in the number of Directors will only take place as vacancies occur in the existing staff, and Sir Eric laid stress on the impossibility, at present, of shedding the Financial Director.

The proposals of the Noblemaire Committee in respect of the Directors were, therefore, to some extent illusory, and Sir William Meyer pointed out, with reference to paragraph 82 of their report, that a reduction in the number of Directors might be more than compensated for by a considerable increase in the number of *Chefs de Service*. Sir Eric Drummond replied, however, that he had no present intention of increasing the staff of *Chefs*.

At a later stage, too, it was decided, in view of the representation of the Secretary-General, that the Under Secretaryship hitherto held by M. Anzilotti should not be immediately reduced, but should be continued for three years on a different footing. The Director of the Armaments Section, whose work, it was represented, had much increased, was to become an Under Secretary but without any sumptuary allowance, and his Directorship was to be left vacant.

86. In respect of paragraph 93, which proposed to set up a bureau in Latin America, there was considerable opposition, it being pointed out that it was not a proposal for economy but for additional expenditure, and would be bound to form a precedent. Sir George Perley (Canada) suggested postponement of the question for another year, and was supported by the British Empire Delegates with the exception of Sir Rennell Rodd. The suggestion was, however, rejected by a small majority, and paragraph 93 was thereupon passed.

In the course of the discussion it transpired that the Council had already sent out two members of the Secretariat to investigate, and that their report would be awaited, but in the meanwhile provision was made in the budget,

*International
Labour
Office.*

87. With reference to paragraph 128 of the Report, there was considerable discussion on the proposal that the four members of the Governing Body of the International Labour Office who were to confer with the Committee of Control regarding the budgets and accounts of that office, should also be able to appear in the Assembly. It was finally decided that only one representative of the Office, who might, at discretion, be one of the Governing Body or the Director, should be entitled to speak in the Assembly when the budget was discussed there, and then only, as in the case of the Secretary-General, if specially invited to do so by the President.

88. Paragraph 131 commented on the proposal of the Labour Office to purchase their present building in Geneva. The Labour Office had submitted a memorandum justifying this proposal on the ground that it would be really economical and that, although the building presents certain defects as regards distance from the centre of the city, etc., it was better to endure these than to embark on large expenditure.

M. Thomas was very emphatic on this point, while some of the members of the Committee considered it premature to start permanent acquisition, having regard to the possibility (a) of moving the seat of the League, and (b) of acquiring some more suitable building. Finally, having regard to the fact that the matter was urgent, seeing that the present lease terminated in 1923, it was decided to appoint a special Sub-Committee of three members to consider this question further.

This Sub-Committee subsequently reported that the Labour Office ought not to acquire any permanent building until it had been decided definitely whether the seat of the League should remain at Geneva or be moved elsewhere, and it was hoped that a definite decision on this subject might be taken next year. When such a decision was arrived at, the Labour Office should have permanent quarters at the seat of the League wherever it might be, but in the meantime they should continue occupation of their present building as tenants, incurring some small necessary expenditure on improving the accommodation. The Sub-Committee's view was endorsed by the full Committee.

89. With reference to Appendix II of the Noblemaire Report dealing with rates of salaries, the question was again raised of having an intermediate scale of pay between the members of sections and senior clerical assistants, etc. This had been ruled out in the discussion in connection with the Secretariat on the ground that to give higher pay than had been proposed to senior clerical assistants would encourage the advancement of mediocre persons. The line now taken, however, was that it was desirable to provide for the case in which a member of section might be doing work which could be as well done by a senior clerical assistant, so that the proposal was one for economy. With regard to this point of view, the proposal for an intermediate grade in the Labour Office was referred to the Salaries Adjustment Committee; as also the possibility of having for the Office a lower pay for copying-typists.

*Action by the
Assembly.*

90. On the 1st October the Assembly dealt with the report submitted by M. Noblemaire (France) on behalf of the Committee.

M. Noblemaire supplemented the report itself by a very lucid speech.

M. Noblemaire had not proposed any resolution, so Sir W. Meyer moved that occasion should be taken to pay a tribute to the labours of M. Noblemaire and his expert Committee, indicating that, though he had in Committee IV criticised some of their conclusions as not going far enough, he recognised that on the whole they marked a very considerable advance. This resolution was carried unanimously.

The report submitted by M. Noblemaire is printed in Appendix III (Annex 4) and Sir William Meyer's resolution in Appendix II (Resolution No. 18). Sir W. Meyer's speech in the Assembly will be found in Appendix IV (Annex 2).

ALLOCATION OF THE EXPENSES OF THE LEAGUE.

91. It was decided that, after the general question arising out of revision of allocation of the League's expenses among the constituent States proposed by the Special Technical Committee had been discussed, Sir Rennell Rodd should act as *rapporteur*. He was also to be associated with three other members, M. Adatci (Japan), M. Fernandes (Brazil) and M. Trygger (Sweden), who were to meet the special Sub-Committee suggested in Committee I (paragraph 19 *supra*) for discussion of the amendments to the Covenant which might be necessitated by future procedure in regard to allocations and budget. It may be noted that MM. Noblemaire and Bruce, who represented No. I Committee, were also members of Committee IV.

92. The question of allocation was dealt with in paragraphs 106-7 and 112 of last year's Report of the Indian Delegation. Briefly, the position then arrived at was that there was general dissatisfaction with Article 6 of the Covenant, which bases the allocation on the entirely different circumstances of the Postal Union Scheme, and it was sought to obtain a scheme of allocation, which would suit both the Union and the League, and would therefore not necessitate a modification of Article 6, by the appointment of a small special Committee.

That Committee consisted of the following members:—M. Reveillaud (France), Chairman; Sir Henry Strakosch (South Africa); M. Barboza Carneiro (Brazil); M. Alfred George (Switzerland); M. Gluckstadt (Denmark). M. Sthyr, and subsequently M. de Kaufmann, acted as substitute for M. Gluckstadt.

They came to the conclusion that it was impossible to make out a scheme, which would be equitable both as regards the Postal Union and the League, and that the latter, therefore, must proceed independently. They had to work rapidly, and almost split on two divergent schemes, but finally agreed on the adoption of one, which will be referred to in this Report as the definite scheme, while at the same time putting forward the other as a possible temporary solution.

93. As regards India, while the temporary scheme puts us very much as we were under the present one, the definite scheme raises our percentage of subscription from 4.9 to 6.6.

India is placed in Class II under this last scheme, whereas in the existing scheme she is in Class I, but the prejudicial result to her is attained by the fact that the number of units chargeable for Class II is no less than 65 (in Class I, 90), the total number of units being 982, whereas under the existing scheme Class I States pay 25 units out of a total of 510. Under the temporary scheme the same division into classes was adopted as in the definite scheme, but the units taken were those of the various classes under the existing scheme.

At a conference at the India Office before the delegation left for Geneva, it was decided that India should oppose the definite scheme as being an unfair one, unless it underwent material amendment, and that the temporary scheme would be preferable.

Sir William Meyer brought the matter before two meetings of the British Delegations, expounding India's objections to the definite scheme, but got little sympathy from the Dominions Delegates, since they pay less—some of them materially less—under that scheme than under the temporary one.

94. In anticipation of the subject coming before the Committee, Sir William Meyer tabled two resolutions, accompanied by a memorandum setting forth the principal points in which the definite scheme was regarded as defective, which are printed in Appendix IV (Annex 3), and supported them at an early stage of the general discussion by a speech strongly attacking that scheme.

It may be noted here that the Allocation Committee used the term "net revenue" in a very peculiar sense—it does not mean that the expenses in connection with the collection of various heads of revenue are deducted from

the gross receipts, but that the gross figure is taken except in the case of commercial or quasi-commercial enterprises, such as posts and railways, in which case the net profit only is assessed.

The matter on which Sir William Meyer laid most stress was that the Committee's scheme, through no fault of its own as it had to work very hurriedly and on inadequate data, was an absolutely unscientific one. It professed to base itself on "capacity to pay," but as interpreted by revenue figures of a single year, 1913, which were now of very ancient date. It had not taken into account various essential factors; and in particular, though rendering lip-service to the all-important consideration that the assessment of a State must be based not merely on its relative revenue resources, but with regard to the general benefits it derived from the League, these considerations had been very little attended to in practice, with the result that a number of small States were let off with most inadequate subscriptions, amounting in some cases to only about $\frac{1}{2}d.$ in the pound. What India wanted was a really scientific scheme, and that could not be attained at present. The Reveillaud Committee had admitted that their so-called definite scheme ought only to have effect till 1924, but India preferred the temporary scheme, not merely because it taxed her less, but because, like the Postal Union assessment, it professed quite frankly to be an arbitrary allocation, whereas the definite scheme, which was arbitrary also, masqueraded under a pseudo-scientific character.

M. Reveillaud in his reply had to admit the justice of some, at any rate, of the criticisms. He urged, however, that the definite scheme was only provisional, and might be adopted as such, but if the Committee pleased they could work on the temporary scheme, though his Committee did not think it so good. This was very loyal of M. Reveillaud, since it is an open secret that he was strongly in favour of the temporary scheme, and only gave way at the end to obtain unanimity.

95. There was a long and dreary discussion, and practically every delegate who spoke supported or opposed the definite scheme according as his country would or would not be more lightly assessed under it than under the temporary scheme, or, it might be, the present method.

Sir Rennell Rodd supported the temporary scheme as a better means of obtaining general agreement, but he tried to justify the exclusion of colonies in making up the quotas of Great Britain and other colonial Powers on the ground that they were generally a source of expense. Sir William Meyer pointed out that this was not so, at any rate in regard to colonies such as the Straits Settlements and Ceylon, and that the criteria the Committee had adopted were revenue and population and not expenditure. On Sir Rennell Rodd's principle India might claim material reduction of her assessment on the ground that many tracts were not self-supporting in the matter of taxation.

96. It was agreed, on a proposal by the Spanish Delegate, that, when an ultimate result had been arrived at, the publication of the quotas should not be in group arrangements or with reference to percentages, but in alphabetical order with the amount of subscription of each State against it.

97. The Italian Delegate emphasised that the real deciding factor in the case would be the assent or dissent of the Parliaments of the various countries in respect of the sums they would have to be asked to vote, and that the existing scheme had at any rate the merit of having received general recognition. A departure from this scheme would provoke considerable opposition in various Parliaments, especially in the Parliaments of countries whose contributions would be increased. Speaking later, Sir William Meyer fully agreed with this line of argument.

98. In a further speech Sir William Meyer pointed out the difference between the idealism preached in the Assembly by the South African Delegates and the hard materialism of the present discussion, in which South Africa, like other States, had supported the scheme which would let it off the most lightly. Mr. Bruce (Australia) had endeavoured to support the opinions expressed in favour of the definite scheme by the proposition of the greatest happiness of the greatest number; that the definite scheme would increase the assessments.

only of six countries, India included, whereas it would reduce the assessments of a great many more. If there was some injustice to India, surely it was better (he had observed) that this should be suffered than that so many other States of less wealth should have to complain.

Australia, now posing as a poor country, had, Sir William Meyer rejoined, spent nearly 1,000,000*l.* on a palatial office in London for her High Commissioner, an expenditure which India, with her much larger revenue and also larger necessary expenditure, could not possibly afford. Australia had also indulged in the luxury of an expensive line of Commonwealth steamers, which some of the best experts predicted would be run at a heavy loss. It was idle, therefore, to say that Australia was a poor country and India a rich one.

99. The only resolution discussed at this sitting was jointly submitted by the delegates of Poland, Rumania, the Serbo-Croat-Slovene State and Czechoslovakia, proposing that the allocations should be modified with reference to conditions of exchange. On a division the proposal was rejected by 13 votes to 9.

100. A further resolution tabled by Sir William Meyer (Appendix IV, Annex 3) proposed that the Reveillaud Committee should resume its labours as soon as possible and endeavour to frame a more complete and convincing scheme, after consideration of essential factors, such as the financial position of Federal Governments as compared with unitary States, the colonies of certain Powers, the special benefits that particular States may derive from the League, and so on; and that they should also endeavour to work on more recent statistics. It went on to propose that, as the Reveillaud Committee would, it was hoped, be able to work out a more satisfactory scheme before long, the Postal Union allocation should meanwhile continue to hold the field, as it is sanctified by the Covenant as it stands, and has in that capacity received the adhesion of all the Member States.

Many other delegates also tabled resolutions bearing on future allocation.

101. Meanwhile a report (embodied in a letter from M. Adatci, who had presided over it) had been received from the expert mixed Committee drawn from Committees I and IV, on the subject of the constitutional aspects of the matter. This letter is embodied in the final report of Committee IV on allocations, which figures in Appendix III (Annex 5). Briefly, it proposed that the Reveillaud Committee should continue its labours so as to evolve a more satisfactory eventual scheme; that Article 6 of the Covenant should be amended so as to enable the adjustment of the expenses of the League among the Member States to be made by decision of the Assembly; and that there should be a provisional Article embodying a scheme which might be applied at once with effect from 1922.

102. The suggestion that the Reveillaud Committee should resume its labours was unanimously adopted, and discussion then centred on the advisability of adopting a provisional scheme at once to supersede that of the Postal Union. It may be observed here that M. Adatci, as an individual member of Committee IV, now proposed that the decision of the Assembly in respect of any new scale should be taken on the proposal of the Council, but this was opposed by M. Trygger (Sweden) and Sir W. Meyer, on the ground that it would weaken the now recognised position that within the League the Assembly was supreme in matters of finance, and M. Adatci finally withdrew his amendment.

It was, however, agreed—on a suggestion by the Venezuelan Delegate—that the Assembly Rules of Procedure might fittingly be altered so as to ensure that no revision of allocation shall be considered unless its inclusion in the Assembly's agenda has been communicated to the constituent States of the League at least four months before the session.

103. As regards the adoption of a provisional scheme, Sir W. Meyer moved, in accordance with the suggestion contained in his draft resolution above-mentioned paragraph 100), that the provisional scheme be dropped, and that the Assembly should hold to the existing allocation until it could be replaced by a really satisfactory one, one which could be acknowledged as just even by States

which might have to pay more therein. He pointed out that to get the ratification of the Governments necessary for altering the Covenant so as to dispense with the Postal Union scale must necessarily take a long time, so that matters would probably not be ready in practice for the introduction of a fresh scheme until the Assembly met next year, by which time it might be hoped to have an amended scale. Moreover, as the allocations for 1922 have to be notified at the beginning of the year, there was all the more reason not to put to States a scheme which could not be at once carried out as regards payments of subscriptions. The Parliaments of States which disliked the provisional scheme would be on very strong ground if they declined to vote provision until the Covenant had been so amended finally as to make it a *fait accompli* and not a possibility only. A long debate followed, in which representatives of the various States generally took, as in the previous week, the best line suited to the pecuniary interests of their countries, those who would be favoured by the Reveillaud Committee's existing proposals being for a provisional scheme which would embody this. Finally, on a division, the idea of a provisional scheme was carried by 21 votes to 11. Sir W. Meyer had not expected to get so many votes, and among these were those of the representatives of Great Britain, Italy, Spain, China, and Japan, and also (to take minor States as well) of Serbia, Cuba, Uruguay and Colombia. Sir W. Meyer thereupon asked that it should be recorded that he reserved full liberty to challenge this decision in the Assembly, a course followed by several of the other States comprising the minority.

104. The Committee then went on to consider what the provisional scheme should be, and after some discussion it was agreed by a majority that the basis of it should be what is called the Reveillaud Committee's definite scheme.

105. Having reached this result, and having regard to the fact that there was now very little time to put matters before the Assembly, it was agreed that it was no use at present discussing specific amendments to the scheme which had found favour. These could be considered in connection with the subsequent reconsideration of the scheme to be taken up by the renewed Reveillaud Committee, and consequently all the various resolutions bearing on this matter should be sent to that Committee. The only exception was as regards a proposal made by the Polish Delegate that his State should at once go down one class—from the third to the fourth. He supported this by the plea that the Reveillaud Committee had to take the revenue figures of 1913 (when Poland was still distributed among the empires of Russia, Germany and Austria), and could only arrive at the revenue of the new State by the arbitrary method of taking the revenue of the old empires and giving to Poland a sum under each proportion of the population transferred from Russia, etc., to the Poland of to-day. Also, that since its re-existence Poland had never had the benefit of settled conditions. This proposal was adopted by Committee No. IV.

106. As regards the date from which the provisional scheme should have application, the delegates of Australia, South Africa and Canada (which countries will benefit materially by the provisional scale as against the Postal Union allocation) pleaded emphatically for retrospective application to 1921, taking as the basis of their plea a proposal to this effect contained in recommendations made by Committee IV to the Assembly and accepted by it in connection with last year's budget (*see* on this point recommendation II, Article 13 (e) as printed on pages 86-7 of the Appendices of last year's Report of the Indian Delegation). They urged that, whatever this might be legally, it was in honour a binding agreement, on the strength of which their Parliaments had voted the contributions for 1922, Sir Edgar Walton (South Africa) declaring that General Smuts could not have carried the existing subscription for 1921 through his Parliament had he not been able to assure them that it was going to be revised for the benefit of South Africa. The opponents of this—including M. Reveillaud, Sir Rennell Rodd and Sir W. Meyer—replied that the recommendation invoked had not the binding force of a resolution and could be modified if circumstances required it. The fact was that last year it was thought that it would be possible to get matters

settled quickly by obtaining an amendment of the Postal Union classification in which case it would have been quite reasonable to make such amendment apply to 1921. It had now been found necessary to cut loose from the Postal Union altogether; the consequent amendment of the Covenant would take a long time, and to have the application of the scheme thrown back to 1921 would raise a legitimate grievance on the part of States which would suffer thereby, and render them very unwilling to agree to any proposed change in the League constitution *quâ* assessment. In this connection, Sir Herbert Ames (the Financial Director), made a good speech, pointing out that if the proposal was accepted it would be very prejudicial to the League's finances. He would have early next year to circulate to each State a statement of what it would pay under the Postal Union allocation still in force, and what it was proposed that it should pay under the provisional scheme, subject to retrospective application for 1921. The result would be that some States would have their 1922 contributions very largely increased, while others like Australia, Switzerland and the Netherlands would have to pay nothing, or might even be in a position to claim refunds. Obviously, a State which was heavily burdened by this method would not pay till it had definitely determined whether to accept the necessary amendment to the Covenant or not, and one which profited greatly would have little or nothing to send in. The League might, therefore, go bankrupt. M. Reveillaud strongly advised the Dominions delegates and others not to risk losing the new scheme altogether by insisting on this retrospective application. M. van Eysinga took the same view, and on a division it was decided by 16 votes to 10 that the retrospective application of the scheme till 1921 should be rejected, the Dominions delegates thus defeated reserving their liberty to raise the question again in the Assembly.

It was agreed that, in regard to the provisional scheme, it should be indicated that it would remain in force "till altered by the Assembly," to provide for the contingency that we might not be ready with a really definite scheme next year.

107. The matter came before the Assembly on the 6th October, on the report of Sir Rennell Rodd, printed in Appendix III (Annex 5). *Action by the Assembly.*

At a discussion which had taken place between the British Empire Delegations under the chairmanship of Mr. Balfour, a compromise course had found favour.

Sir Rennell Rodd was to propose in the Assembly that the new provisional scheme should only last during 1922 and 1923, and should lapse earlier if a satisfactory fresh scheme has meanwhile been adopted.

Further when the new scheme was adopted, countries which may have paid more than their share (*a*) in 1921 with reference to the Postal Union scale; or (*b*) in 1922, and possibly 1923, under the provisional scheme should be entitled to eventual refund, if and when the League's finances permitted.

Accordingly, when Sir Rennell Rodd, acting as *rapporteur*, placed before the Assembly the resolutions entrusted to him by Committee IV, he personally made the suggestions for modification above referred to. But when the matter was discussed in the Assembly, it was found that there was no chance of obtaining the requisite three-fourths majority for the resolutions as Sir Rennell Rodd had wished them finally to stand, and after discussion the Assembly passed the resolutions and recommendations printed in Appendix II (Resolution No. 30). The first resolution, involving amendment to Article 6 of the Covenant, was passed by 40 votes to 1, 10 delegations being absent or abstaining; and the second, adopting the provisional scheme of allocation, by 31 votes to 2, 18 delegations not voting. The rest of the resolutions and recommendations were adopted unanimously, with the exception of the recommendation in favour of the eventual reimbursement of States who may pay more under the provisional scheme which had been adopted than under such definite scheme as may finally come into force. This recommendation was carried by 21 votes to 10.

108. The position of India had been considerably weakened by the previous action of the Assembly (*vide* paragraphs 30—36, *supra*), by which resolutions in respect of Covenant amendments were no longer to come under Article 5 as

regards unanimity, but that a three-fourths majority would suffice if it included the representatives of all States on the Council, and it became very difficult to look to a minority of more than one-fourth as against the provisional scheme, from the fact that the delegates of those Council States, who had been India's allies in Committee, shrank from taking the position of voting against the provisional scheme, and its proposed application, in the Assembly and thus destroying it. They preferred to leave any hostile action that their Governments might consider necessary to those Governments when it came to ratification. Consequently, Sir W. Meyer thought it better not to put India in the position of voting against the resolution in regard to the provisional scheme, although the final solution adopted by the Assembly was considerably less satisfactory than that which the British Delegations would have accepted if the matter had lain between themselves, in that—

- (1) The provisional scheme is not to be subject to a definite time limit, but to remain in force till the Assembly adopts another one, which will obviously give opportunity for obstruction in regard to a new scheme on the part of those whom this will favour less than the provisional scheme.
- (2) The proposals as regards the setting on foot of a new scheme and the arrears solution, which would benefit India if a fresh scheme were more in her favour than the provisional scheme is, are recommendations and not positive resolutions.

After consulting with Mr. Sastri (H. H. the Maharao of Kutch had had to leave Geneva when the matter came on), Sir W. Meyer abstained on the provisional scheme resolution, and voted in favour of the other proposals. Still the position remains better than when Committee IV concluded its labours, and considerably better than had been anticipated when the discussions in that Committee began. It may be mentioned here that on the budget for 1922 India would, under the provisional scheme, pay about 1,380,000 gold francs against 1,022,000 which she would contribute under the Postal Union scheme.

109. It has to be remembered, however, that until the Covenant is amended the Postal Union scale holds the field, and that the Government of India have full liberty to ratify, or decline to ratify, the proposals carried in the Assembly. (They would, of course, be allowed to reconsider with reference to the last clause of Article 26 of the Covenant, if a majority for ratification had been secured without them, and they need not act without very full consideration.) And until the Covenant has been definitely amended by the necessary votes of all the Council States and a majority of the rest, a procedure which must take a long time, India will certainly be within her right in declining to pay anything more than what her obligations under the Postal Union scale impose on her.

AUDITED ACCOUNTS AND BUDGET OF THE LEAGUE.

110. In regard to the audited accounts of the Secretariat for the period July-December 1920 (the audit of the first half of 1920 came before the Assembly last year), attention was drawn by some of the Dominions Delegates and Sir W. Meyer to the extraordinary method adopted by the Swiss auditors in setting forth the income and expenditure of the League for the period in question. They had included in the income a large amount of subscriptions due for this period from a number of States which had not been paid within it, with the result that they showed a large surplus, while there was really a deficit involving temporary borrowing from Lloyds' Bank. It was agreed that, while this statement should be maintained as possibly suiting the ideas of continental countries, there should be a supplementary statement setting forth the actual cash receipts and expenditure for the period, with a supplementary note indicating assets subsequently realisable.

The following States have paid nothing as yet on account of 1920:—
Argentine, Columbia, Guatemala, Liberia, Nicaragua, Paraguay, Rumania,

and Salvador, while there are balances, running from 50 to 80 per cent., still due from South Africa, Panama, Peru, Persia, and the Serb-Croat-Slovene State. On the whole, according to a statement made by Sir Herbert Ames, 10 per cent. of the contributions to the 1920 budget of 10,000,000 gold francs still remain to be paid.

The auditors' report was then passed, as also a similar report for the Labour Office—this latter for the whole year 1920.

111. The Committee then took up the estimates presented by the Secretariat and the Labour Office for the year 1922, put together finally in a general consolidated budget statement (Appendix III, Annexes 6 and 7).

The budget for 1921 was prepared in a most unsatisfactory way, the chief faults being referred to in paragraphs 96-105 of the Indian Delegation's Report on last year's Assembly; in particular, the Labour Office contenting itself with giving globular figures. A great improvement was noticed in regard to the budget of the coming year, attributable mainly to the recommendations (largely due to the initiative of India) made in the Foster-Eysinga report on last year's budget and approved by the Assembly. In particular, the Labour Office figures were put quite clearly, more so indeed than those of the Secretariat, and M. Thomas' explanations compared favourably with those of Sir Herbert Ames. And it may be observed here that the absolute control of the Assembly over the budget is now fully admitted.

The total budget for 1922 as originally presented was, in round figures, for 23,768,000 gold francs (of which 8,245,000 were for the Labour Office), against 21,250,000 in 1921 (of which 7,000,000 were for the Labour Office).

It may be noted in this connection that the increase in the Labour Office estimates does not mean an increase of actual outlay, the Director having been strictly enjoined by his Governing Body not to exceed the total actual expenditure voted for 1921, but a less favourable exchange for Swiss francs, in which the accounts of the Labour Organisation are now kept.

The original figures were added to or modified by various supplementary estimates put in, in a confused fashion, at the last moment, and also by net reductions by Committee IV. The net total result is that the budget for 1922 will now stand at about 20,750,000 gold francs (of which nearly 6,136,000 are for the Labour Office), *i.e.*, a decrease of about 3,000,000 gold francs on the estimates as originally put before us.

This economy is, however, not nearly as drastic as it looks, for no less than 1,364,000 gold francs represents surplus balances accumulated, or likely to accrue, in connection with the Labour Office. It was decided, and very rightly, to allocate these to reduction of the resultant expenditure which would have to be met by the constituent States of the League instead of, as proposed by the Canadian Delegate (Sir George Perley) and Sir Herbert Ames, putting it into the general working capital fund, which is to be available for the Labour Office as well as for the Secretariat (paragraph 84 *supra*).

Sir Herbert Ames had likewise suggested that the Secretariat budget of 1922 should include the replenishment of the working capital fund to the extent of 500,000 gold francs, but this proposal was withdrawn in view of a decision that the fund should be limited to 5,000,000 gold francs.

112. The chief abiding economy was one obtained on a motion by the Brazilian Delegate for a general reduction of 25 per cent. in printing charges, wherever these occurred. He impressed the Committee by the fact that he had made personal investigations as to the price of paper, and found that it had fallen considerably, while the Secretariat apologist had to admit that concomitantly the British Stationery Office (from which the League had hitherto got most of its supplies) had for some reason doubled its prices. This also impressed the Committee, which was relieved to learn that we were not bound in any way to obtain paper from London if we could get it cheaper elsewhere.

113. The estimates for the *Publication Department*, originally 415,000 gold francs, are finally reduced to 356,000 chiefly by reason of the printing economy referred to above. But they now include a supplementary estimate

of 45,000 gold francs for the publication of the League's monthly *Bulletin* in several languages instead of in English and French only. The official who explained the estimates on behalf of the Secretariat wanted not merely a publication in all the principal European languages, but also in those of Japan and China. Sir W. Meyer argued that however desirable that might be, this was not a time to increase expenditure, but on a division the supplementary estimate was carried. Sir W. Meyer then obtained agreement to the suggestion that if translations were made into Chinese and Japanese they should be made into one at least of the Indian languages, *e.g.*, Urdu.

114. Under *Transit*, the original estimate was 500,000 gold francs against 670,000 in 1921, the decrease being due to the fact that there will be no general conference such as there was at Barcelona this year. But a net increase was made to the extent of about 43,000 gold francs with reference to the fact that the Assembly, on the proposal of *Comité II*, had sanctioned the holding of regional conferences, and that these might involve an outlay of about 100,000 gold francs. There was a feeling at first against this latter supplementary estimate, but M. van Eysinga (Netherlands); supported by Sir Rennell Rodd and M. Reveillaud, urged that the Committee could not put itself in a position of opposition to the Assembly. This, however, elicited a general desire to have matters put on a more satisfactory basis, so that no projects involving additional expenditure should be put before the Assembly by other Committees until they had been considered also in Committee IV, a matter which will be further dealt with later. Sir W. Meyer pointed out that, even as matters at present stood, while necessarily bound to accept the policy laid down by the Assembly, it was the Committee's duty to consider, and if necessary to criticise, the departmental estimates submitted to carry out that policy: in the present case such regional conferences as were required (and it had been indicated by an official apologist that there might not be any at all) could be met out of the original vote of 500,000 gold francs. Finally, it was decided, on the motion of M. Reveillaud, to pass a supplementary vote for 50,000 gold francs, thus allowing for extension of the estimates with reference to regional conferences, and at the same time vindicating the Committee's prerogative of dealing with expenditure. This increase was to a slight extent set off by some minor savings.

115. For the purpose of books and library equipment, Sir W. Myer obtained a reduction of 65,000 gold francs, in order to reduce the figure to that of the 1921 budget, pointing out that the Expert Committee on Organisation had criticised the scale of the Library as too ambitious.

116. The question of exchange and exchange compensation allowances came under discussion with reference to the Labour Office estimates, and M. Thomas had to admit that it was quite incorrect on present indications to assume that 20 gold francs would be equal to 24 Swiss, the rate of conversion taken for 1922. He stated that the accounts had been first of all kept in pounds sterling, then in Swiss francs, then—at the instigation of Sir Herbert Ames—in gold francs, and now in Swiss francs again; and asked pathetically, how he was to avoid getting into confusion. It has now been settled that the domestic accounts of the Labour Organisation shall be kept entirely in Swiss francs, and that the globular result will be converted into gold francs for the purpose of the final budget at the current rate of exchange. M. Thomas also explained, with reference to the special allowance of at least 24 Swiss francs for 20 gold francs given to members of the staff, that prior to the move of the office from London to Geneva, everybody's salary was fixed in pounds sterling, but that those subsequently recruited had their salaries fixed in Swiss francs. It was the former class who were considered entitled to compensation for unfavourable developments of exchange. It was finally decided that the whole matter of exchange compensation should be submitted for consideration to the Salaries Adjustment Committee.

117. An important economy was effected in regard to a sum of 500,000 gold francs, which M. Thomas explained was to be a carry-on from 1921 of a reserve for buying or building permanent premises for the International Labour Office. It was pointed out that it had already been decided (paragraph 88

supra) that pending decision as to the future seat of the League, which it was hoped would be taken up next year, the Labour Office should remain in rented premises, and that this credit was therefore as yet unnecessary.

Finally, as M. Thomas pressed for something to be voted to him, so that he might in next year's Committee show that there was a definite policy, it was resolved that a sum of 20,000 gold francs should be substituted for the original 500,000, the said 20,000 to be employed in preliminary investigations, such as the drawing up of plans, or possibly on the purchase of an option.

118. The budget discussions were on the whole quite satisfactory. Owing largely to pressure exerted by India last year, the estimates are now much fuller, and in particular the Labour Office has given detailed figures instead of globular sums. As regards the examination of these, although Sir W. Meyer and Sir James Allen (New Zealand), who gave him generally uniform support, were not able to obtain all the reductions they would have liked, they did effect several material cuts, which have been already mentioned, and in regard to these received useful support from the Brazilian Delegate (M. Barboza Carneiro), who commanded some following from the Latin-American States.

119. M. van Eysinga's Report, setting forth the Committee's actions in regard to the budget and financial administration generally (Appendix III, Annex 8), came before the Assembly on the 3rd October. The figure of 20,758,945 gold francs given on the first page of M. van Eysinga's Report in respect of the budget for 1922 has now to be raised by 100,000 gold francs, with reference to the decision in regard to Albania referred to in paragraph 155 (Appendix II, Resolution No. 20).

Action by the
Assembly.

M. van Eysinga made an effective speech in support of the Report, and Sir W. Meyer followed him with a speech, which is printed in Appendix IV (Annex 4). The recommendations and resolutions were then unanimously accepted (Appendix II, Resolution No. 21).

An important decision, as to proposals involving expenditure being submitted by other Committees to Committee IV prior to being placed before the Assembly, which had been passed on by the Committee to Committee No. I for consideration from a drafting point of view, was, as stated in paragraph 42, formally passed at a subsequent sitting on the 6th October as an amendment of the Assembly's Rules of Procedure (Appendix II, Resolution No. 31).

Work of Committee No. V. (Humanitarian Questions).

THE TRAFFIC IN OPIUM.

120. At the meeting of the 13th September the Committee began the discussion of the Report of the Advisory Committee on Opium and the Report of the Council on that Report. All that emerged from a very vague and general preliminary discussion was a resolution in the following terms:—

“ This Committee recommends to the Assembly that the various Governments be invited, where they see no objection, to furnish to the Secretariat, in addition to the official annual Report, any information concerning the illicit production, manufacture, or trade in opium or other noxious drugs, which they think likely to be useful to the Committee in the execution of its duties.”

121. In view of the dangerous character of the last recommendation contained in the Council Resolution (printed in Appendix III, Annex 9) to be subsequently discussed, the attendance was procured at Geneva of the Indian member of the Advisory Committee (Mr J. Campbell). Briefly, while the Advisory Committee had drawn attention to the very unsatisfactory position in China in respect of opium production there, and proposed that the matter should be brought to the notice of the Chinese authorities, Mr. Wellington Koo, who had been nominated reporter by the Council in respect of this matter, suggested the elimination of that recommendation. On the other hand, he proposed to ask the Advisory Committee, in view of “ the general desire ” to limit opium production to strictly medicinal and scientific purposes, to consider the institution of an enquiry as to the average requirements for

these purposes in the different countries. This was going far beyond the provisions of the Hague Convention, which recognised the legitimate use of raw opium under due restriction.

122. When the discussion was resumed on the 14th September, with reference to the resolution of the Council on Mr. Koo's report upon the recommendations of the Advisory Committee, Mr. Sastri delivered a speech which made a profound impression upon the Committee. He pointed out that the report of a special expert body had been set aside without adequate reasons being given, and, commenting on Mr. Koo's proposal, endorsed by the Council, that the question of making representations to China regarding her poppy cultivation should be deferred, emphasised the infructuous sacrifices of India on behalf of China and the present position of the latter country as the leading opium producer of the world. As regards recommendation 7 of the Council's resolution, inviting the Advisory Committee to report on "the possibility of instituting an enquiry to determine approximately the average requirements of raw and prepared opium specified in Chapters I and II of the Convention for medicinal and scientific purposes in different countries," Mr. Sastri pointed out that the terms of this recommendation must be read with Mr. Koo's preliminary report, in which the object of the resolution was clearly stated to be the eventual limitation of poppy cultivation to strictly medicinal and scientific purposes. He emphasised the fact that this object was not among those which the Hague Convention was drawn up to attain, and urged that action in the sense suggested was *ultra vires* of the League. He then attacked the proposal on its merits, pointed out the hardship such limitation would entail upon the people of India, many of whom were far from dispensaries and medical advice, and had for generations taken opium in moderate amounts as a febrifuge, and explained that action in the direction contemplated by Mr. Koo would be practically effective in regard to India only among the opium producing nations. Turkey had not acceded to the Hague Convention, Persia had signed with a reservation that robbed her signature of practical value, and no attempt at restriction of cultivation in China had the slightest chance of success in the existing circumstances of that country.

India was quite ready, when the time came, to consider a further advance on the position as it was left by the Hague Convention. But, owing to the war, that Convention had only lately come into general application, and it was essential to secure due observance of its provisions, in China as elsewhere, before trying to occupy fresh ground.

123. At the meeting of 17th September, Mr. Wellington Koo made his reply to Mr. Sastri. He opened his exposition by an account, on the usual lines followed by anti-opium societies, of the history of the wars with China; and the burden of his introduction was the heroic struggle of China against the Western Powers, which (he said) finally forced opium upon that reluctant country at the point of the bayonet. He then narrated the history of what happened between 1908 and 1917, and acknowledged the great assistance India had rendered to China. Recrudescence of cultivation since the latter year he admitted; but while refusing to accept Mr. Sastri's statement that China's production of opium amounted to four-fifths of the total output of the world, he made no effort to challenge the accuracy of that estimate. He asserted that it was not his personal intervention which had led to the resolution Mr. Sastri challenged, and explained that recommendation 5 of the Advisory Committee was dropped by the Council, as it involved direct interference by the Council in the internal affairs of China, and was also unnecessary in view of the action which the Chinese Government had taken to ascertain the facts as they now existed regarding opium cultivation in China. Sir John Jordan, who acted as one of the assessors on the Advisory Committee, had expressed himself satisfied with this action—the appointment of seven Chinese High Commissioners to ascertain the real position and to enforce the existing laws.

He thought that Mr. Sastri had misunderstood the purport and scope of the draft recommendation (7) of the Council. There was no desire to embark on an immediate campaign against the production of opium otherwise than for

medical and scientific purposes. All that was contemplated was an enquiry, if the Advisory Committee agreed that such an enquiry could profitably be made, which would give the Assembly and the Council information necessary for the formulation of a reasoned policy. Such information the Council was fully competent to collect. If restriction of production was finally approved by the League as their definite policy, India would be asked to co-operate; she would not be compelled to adopt that policy. Mr. Koo laid great stress on the point that this policy, if definitely decided on, could be postponed to any date, however remote.

124. The Committee then proceeded to vote on the various individual recommendations contained in the Council's draft resolution. Recommendations 1, 2, 4 and 5 were unanimously adopted and recommendations 3, 6 and 7 were referred, at Mr. Balfour's suggestion, to a Sub-Committee constituted as follows:—Mr. Sastri (India), Mr. Wellington Koo (China), Mlle. Bonnevie (Norway), M. Avramovitch (Serbia), M. van Swinderen (Netherlands), Professor Gilbert Murray (South Africa), M. Hennessy (France).

125. This Sub-Committee held several meetings on the 19th and 20th September, and commenced with a discussion in respect of the terms of recommendation 3 of the resolution, which is as follows:—

“That the provisional Health Committee of the League, or any other similar organisation, be asked to undertake an enquiry to determine approximately the average requirements of the drugs specified in Chapter III of the International Opium Convention, for medical and other legitimate purposes in different countries.”

M. Hennessy (France), supported by M. Avramovitch (Serb-Croat-Slovene State), took strong exception to the terms of this proposal, especially to the intervention it involved of the Health Organisation of the League. They pointed out the danger, and, indeed, the illegality, of inquisitorial inquiries in respect of the internal arrangements of the various States. Sir Malcolm Delevinge, who attended the Sub-Committee as having been British “expert” on the Opium Advisory Committee, said it was too late to take this point, as the Council had referred the matter to the Health Organisation, which was considering it.

This evoked immediate and strong protests from the delegates of France and the Netherlands as being a usurpation by the Council of the functions of the Assembly. Professor Gilbert Murray contended that the Council's recommendation was not a usurpation but merely a well-intentioned method to facilitate the progress of investigation, provided the Assembly approved this. This view did not find favour with the protesting delegates, but they agreed to accept the assurance that the Council had not intended to usurp the Assembly's functions.

A representative of the Provisional Health Organisation, who attended, explained that his Committee were only at present engaged on quite tentative inquiries in regard to the possibility of obtaining the statistics desired by the Council, and that no definite decision had as yet been arrived at on this point, and gave the assurance that in any case no inquisitorial inquiries would be made in the countries concerned. He in fact accepted the view expressed by the delegates of France and Serbia that any information needed must be supplied by the Governments concerned.

One of the Persian delegates (Prince Arfa-ed-Dowleh), who, although not an original member of this Sub-Committee, was subsequently added to it, delivered a speech which was much to the point. He indicated the dangers of interfering with secular habits in Oriental countries, and asked how, if and when the League had decided the amount of opium production which should be allowed to the world in general, this would be distributed among the producing States. He inquired further how they would deal with a country like Afghanistan, which produced some opium, but is outside the League's sphere.

It was finally decided to accept this portion of the Council's resolution, but to amplify it by an explanation, to form part of the resolution, designed to meet the various criticisms advanced.

126. Paragraph 6 of the Council Resolution, which shelved consideration of the recommendation of the Advisory Committee that representations should be made to the Chinese authorities as to the opium situation in that country, was then discussed. Mr. Sastri recapitulated the arguments against Mr. Koo's shelving proposal, which had been adopted by the Council, and in favour of adopting the proposal of the Opium Advisory Committee. He suggested that the wording of the recommendation might be modified in order to avoid any injury to Chinese susceptibilities; but he urged strongly that its substance must be maintained unless the League of Nations were prepared to neglect the duties which the Covenant, read with the Hague Convention, imposed on them. He showed that China was at present the *crux* of the opium position: and he stressed the argument that if the League of Nations refused to take notice of the admitted failure of China to make her declared policy effective, then all attempts at suppression by the League must be abandoned. Professor Murray agreed generally with Mr. Sastri, but asked that the wording of the Opium Advisory Committee's recommendation be somewhat toned down; China's temporary representative (Mr. Koo being engaged elsewhere) preferred not to speak; M. Hennessy (France) agreed with Mr. Sastri and Professor Murray; and M. van Swinderen (Netherlands) expressed his concurrence also. It was decided that an effort should be made to secure an agreed text with Mr. Wellington Koo on these lines. This text could then be considered at the next meeting.

127. As regards paragraph 7 of the Council Resolution:—

“That in view of the world-wide interest in the attitude of the League towards the opium question and of the general desire to reduce and restrict the cultivation and production of opium to strictly medicinal and scientific purposes, the Advisory Committee on Traffic in Opium be requested to consider and report at its next meeting on the possibility of instituting an enquiry to determine approximately the average requirements of raw and prepared opium specified in Chapters I and II of the Convention for medicinal and scientific purposes in different countries,”

Mr. Sastri proposed an amendment, which Sir William Meyer had originally suggested to Mr. Koo in personal conference, *viz.*, the substitution of “legitimate” for “medicinal and scientific” where these words occurred in the resolution. After some discussion this was unanimously accepted, the word “strictly” being also omitted in the first portion of the resolution. Mr. Koo, who again failed to attend the meeting, sent a message by his representative to the effect that, in his opinion, any modification of a resolution approved by the Council would form a most dangerous precedent. The Sub-Committee did not, however, accept this.

128. When the Sub-Committee next met Mr. Koo endeavoured to reopen the questions previously discussed. Mr. Sastri raised a point of order on this, but the Chairman held that, as Mr. Koo had been prevented by *force majeure* from attending on previous occasions (he had to attend Council meetings) he should be allowed to state his case fully. Mr. Koo then advanced every possible plea in favour of the Council Resolution as regards all points which had come under discussion; and he finally entrenched himself behind an alleged constitutional point, that the Assembly had no power to alter a Resolution of the Council. The Chairman disagreed as to this and was supported by the delegates of France, Serbia and Norway. It was finally decided that an addition should be made to paragraph 5 of the Council Resolution, adding “and of China” after the words “Contracting Powers having treaties with China,” thereby calling attention to China's obligations under Article 15 of the Hague Convention; and that formal note should be made of the action said to have been taken by China to ascertain the facts as regards the recrudescence of poppy cultivation there. Mr. Sastri accepted this. Mr. Koo intimated that he reserved the right to raise his “constitutional” point in full Committee and in the Assembly.

As regards paragraph 7 of the Council Resolution, Mr. Koo repeated all his old arguments, but obtained no support. He then suggested that the Council Resolution should be merely expanded so as to cover the consumption of opium "for other legitimate purposes." Mr. Sastri objected to this; the Norwegian Delegate concurred, and on a vote being taken Mr. Koo alone supported the Council Resolution as it stood, all the other delegates voting for the amendment proposed by Mr. Sastri and agreed to at the meeting that morning.

129. At a final meeting of the Sub-Committee on the 21st to consider the draft report to be submitted to the Plenary Committee, M. van Swinderen, as Chairman, explained that he had had a lengthy conversation with Mr. Wellington Koo, and was impressed with the desirability of avoiding any reference in the report to the possibility of a conflict between the Council and the Assembly. He had drafted the report most carefully with that end in view, and he understood that, if the Sub-Committee generally accepted the draft, it would be accepted by Mr. Koo also. The draft was then unanimously adopted. From India's point of view the report was suitable; it reproduced correctly the decisions arrived at by the Sub-Committee, and there was nothing in the introductory matter to which objection could reasonably be taken. The report represents the complete triumph of India's very legitimate objections to the original Council proposals, and this result was very largely due to the convincing presentation of her case by Mr. Sastri and the working up of details by Mr. Campbell.

130. In discussing the report, M. Hennessy made an attempt to get the word "legitimate" defined, so as to prevent a possible large expansion of its meaning and consequent abuse; Mr. Sastri objected to this, and pointed out that it would be much safer not to attempt any definition. He called attention to the declared object of the Hague Convention, which was to suppress the "abuse" of opium; "abuse" was not defined in the Convention, and we should not attempt to define "legitimate" here. The Serbian Delegate agreed. Professor Murray, however, suggested that a direct reference, by way of example, might later be made to legitimate uses of opium in India; and to this Mr. Sastri had no objection.

131. The Sub-Committee unanimously agreed to exclude "prepared opium" from their resolution, in view of the provisions of Chapter-II of the Hague Convention, which form a self-contained code. The Convention requires "the gradual and effective suppression . . . of the use of prepared opium"; in these circumstances an enquiry into the legitimate consumption of prepared opium would obviously be inappropriate.

132. At the full Committee meeting of the 21st, M. van Swinderen, the *rapporteur*, explained the conclusion arrived at by the Sub-Committee, and after some discussion the report was unanimously adopted.

It was proposed, on the suggestion of Mlle. Bonnevie (Norway), supported by Professor Gilbert Murray, that the report should contain a passage asking the Council to consider whether all nations specially concerned with the growth or manufacture of opium or its derivatives should not be represented on the Technical Advisory Committee, and special reference was made to Germany as being a large producer of cocaine and other drugs.

This was carried, and it is obviously desirable that Germany should be represented.

133. The following proposals were then passed on the motion of Sir Malcolm Delevingne:—

- (1) That the Committee recommend to the Assembly to urge upon all States Members of the League which have not yet signed and ratified the Opium Convention to do so as soon as possible.
- (2) That the second recommendation of the Advisory Committee as to the making by each State of an annual report on the execution of the Convention (which was adopted by the Council but does not appear in the resolutions of the Council on page 72 of the Report to the Assembly) be approved.

- (3) That, in order to facilitate the execution of the Convention, the Committee recommend to the Assembly to urge all States Members of the League to intimate to the Secretariat as soon as possible their acceptance of the fourth recommendation of the Advisory Committee as to the requirement of import certificates.

134. At the last moment M. Hennessy (France) proposed that a fresh international conference should be held in order to deal effectively with deleterious drugs not precisely covered by the terms of The Hague Convention; he asserted that manufacture of such drugs was now being carried out, but did not produce convincing evidence of this. M. Sastri took the line that a fresh conference was inadvisable until the ground covered by The Hague Convention had been more fully secured; but he did not desire to object, especially as the proposed recommendation did not settle the matter definitely, but merely called for the opinion of the Advisory Committee.

*Action by the
Assembly.*

135. The conclusions of the Committee were embodied in a report presented to the Assembly by M. Ferreira (Portugal) on the 30th September (Appendix III, Annex 9). In the course of his observations on the recommendations of the Committee, the *rapporteur* made the statement that in India the population "has cultivated the opium poppy from time immemorial." It was pointed out privately that this was incorrect in present conditions, poppy cultivation being restricted to certain definite tracts, and in his verbal report to the Assembly M. Ferreira omitted the passage. Steps were then taken to ensure that the passage would also be omitted from the final official text of the report.

136. It had been finally arranged by Sir William Meyer with Mr. Wellington Koo that neither China nor India should address the Assembly on the subject of opium, and the debate was brief, being confined to representatives of Persia, France and the Netherlands, the last mentioned (M. van Swinderen) merely intervening as representing the Power under whose auspices The Hague Convention had been summoned, and which had hitherto been its guardian. The speech delivered by M. Hennessy (France) was an explanation of his recommendation above referred to.

The Assembly unanimously passed the resolution which had been put before it and which will be found in Appendix II (Resolution No. 15). Paragraphs 4 and 8 of this resolution are those dealing with the questions which had been in issue between the Indian and Chinese Delegates.

136A. It may be added that subsequently the Council once more appointed Mr. Wellington Koo as their *rapporteur* on the subject of the Assembly's resolution, and that he proposed, and obtained, its acceptance, suggesting that, with reference to paragraph 10 of the resolution, Germany and the Serb-Croat-Slovene State should be asked to send representatives to the Technical Advisory Committee.

DEPORTATION OF WOMEN AND CHILDREN IN TURKEY AND ADJOINING COUNTRIES.

137. On the 23rd September the Assembly passed unanimously a resolution (Appendix II, Resolution 8), which was presented by Mlle. Vacaresco (Rumania), in an eloquent speech, and had been approved in Committee V, on the subject of the deportation of women and children in Turkey and the adjoining countries. The resolution recommended the establishment in Constantinople of a Commissioner of the League of Nations, who should be assisted by a Committee consisting of the High Commissioners of France, Great Britain and Italy, and should be placed in control of a mixed Board dealing with the reclamation of women and children. It also proposed that the Neutral House for the temporary reception of women and children should be reorganised and placed under the Commission of Enquiry, and that additional Neutral Houses should be opened as circumstances admit.

TRAFFIC IN WOMEN AND CHILDREN.

138. The Committee discussed an *exposé* by Mlle. Forchhammer (Denmark) on the present position in regard to what used to be the "white slave traffic," but is now, to avoid racial distinction, to be styled the "traffic in women and children."

The position, as it stood at the close of last year's Assembly, is indicated in Resolution 27 of Appendix II to the Indian Delegation's Report. There was an international agreement dealing with this subject in 1904, to which India was a party, and a convention in 1910, which India abstained from agreeing to, on the ground that the age limits were inappropriate.

139. In accordance with the Assembly's wish of last year, a special Conference was held last June, at which India was very ably represented by Mr. S. M. Edwardes, C.I.E., whose report indicated that the recommendations of this Conference for a new convention might be accepted by India, subject to certain stipulations in regard to age and other matters. A draft convention embodying the "Final Act" of the Conference, which sums up its proposals had been drawn up by the British representative on the Council, and this now came before Committee V.

The resolution proposed by Mlle. Forchhammer and redrafted by Professor Gilbert Murray was to the following effect:—

- (a) That the Assembly confirm the Final Act of the Conference on the Traffic in Women and Children.
- (b) That the amended draft convention based on the Final Act of the Conference be adopted, and that a protocol of signature be opened at the Assembly.
- (c) That all Delegates be requested to communicate immediately with their respective Governments asking for full powers to sign the protocol.

140. For some rather obscure reason the French Delegate opposed this procedure very vehemently, and raised the point that it was *ultra vires* for the League to draw up a convention, overlooking apparently that this method had been adopted last year in connection with the International Tribunal at The Hague. The French contention that at any rate there should be a preliminary reference to Committee I, which deals with constitutional questions relating to the Covenant, was rejected by 17 votes to 8, and by 17 votes to 5 the Committee accepted the resolution as drafted by Professor Gilbert Murray.

141. In the course of the discussion Mr. Sastri made it clear that India could not accept the age limit (21) now proposed for the protection of girls. India's internal legislation fixed this age at 16, and having regard to early maturity in tropical countries, that age could not be expediently exceeded while it would obviously be undesirable to have a special higher limit for the benefit of a very limited number of non-Indians. (This in effect was the argument which India had put forward against joining the convention of 1910.)

India's objection to the age limit was supported by the representatives of Japan and Siam, and it was decided that their reservations should be indicated.

The Committee instructed the *rapporteur* (Professor Murray) to provide for this in the draft convention, and to make sure that the latter did not go beyond the recommendations of the Final Act adopted by the Conference.

As regards signature of the convention before the Assembly dissolved, Sir William Meyer was unable to take this course, as the Government of India had not yet had the opportunity of expressing their views as regards either the report of Mr. Edwardes or the draft convention itself.

142. At a later meeting Professor Murray's report, in which he had been assisted by a small drafting Committee, was brought up. They proposed some slight verbal alterations in the convention, to make it follow more closely the wording of certain recommendations of the Conference, and expressed the opinion that the reservations as to age by India, Japan and Siam, which were approved by the Committee, might be made on behalf of these Governments

at the time of signing by their representatives, and need not involve an alteration of the text itself.

143. Professor Murray then proposed a resolution in verbal amendment of that referred to in paragraph 139 *supra*, to the following effect:—

“That the Assembly, having taken into consideration the Final Act of the Conference at Geneva on traffic in women and children approved by the Council, expresses the wish that those of its provisions which require conventional form be adopted in that form by the Members of the League with the least possible delay.

“That for the purpose the Assembly recommends that the Delegates, who have the necessary full powers to sign the draft convention annexed, should sign it without delay, and that those who do not yet possess them be invited to communicate immediately with their respective Governments in order to obtain the necessary powers to sign.”

The French Delegate (M. Hennessy) said that France must also make reservations as to age in connection with her tropical colonies, and as there was not sufficient time left to consider the draft convention thoroughly, he suggested that a new special Conference should be held to examine it. This proposal was supported by M. Avramovitch (Serb-Croat-Slovene State), but the revised resolution was carried by 14 votes to 2. Mr. Balfour, in the course of the discussion, observed that an age reservation would also have to be made in regard to certain of the British Crown Colonies, and that for the present he could only sign on behalf of the United Kingdom.

Action by the
Assembly.

144. On the 29th September Professor Gilbert Murray (South Africa) presented the Committee's report to the Assembly. Having explained the matters at issue, and noted the reservation by the representatives of India, Siam, and Japan in respect of the age question, he put forward the resolution referred to above.

145. The French Delegate put forward the alternative proposal that the Assembly should invite the Governments of the constituent States of the League to examine the “Final Act” of the Conference of 30th June last and the draft convention drawn up by the British representative on the Council of the League; that States should be asked to indicate within four months whether they would agree to have a protocol of signature in respect of this convention opened at Geneva, and that such protocol should be opened if and when two-thirds of the States consulted had sent in favourable replies in respect thereof; also that if not less than one-half of the States of the League asked for an entirely fresh Conference to consider the convention, this Conference should be at once convened.

M. Hanotaux (France) said that he took exception to the resolution before the Assembly because the convention was the work, not of a Committee composed of delegates of the Powers, but of what might be called a private drafting Committee. (There seemed to be a good deal of jealousy on the part of France that Great Britain had prepared this draft without preliminary reference to her.) He contended that the convention differed in various respects from the “Final Act” of the special Conference of June last, and that it would appear to exclude colonies and dependencies. Professor Murray replied that the original British draft had been revised by a Committee of Jurists in co-operation with French experts, and that it had been again gone into, and revised, by two members of the Assembly who had been elected Judges of the Permanent Court of International Justice.

146. Mr. Balfour pleaded eloquently for the adoption of the original resolution, pointing out the delay that the French proposal would involve, and asking the Assembly not to admit any avoidable delays in respect of a traffic which was a discredit to the world. The same line was taken by other speakers, *e.g.*, M. La Fontaine (Belgium) and M. Ador (Switzerland), while M. van Swinderen (Netherlands) asked whether M. Hanotaux would agree to shorten the four months' period in his resolution to two months, and suggested that the protocol might be opened for signature as soon as one-third of the States of

the League had expressed their approval of the convention. M. Hanotaux expressed his willingness to adopt this suggestion, but it was not satisfactory to the great majority of the Delegations, and on a division the French proposal was thrown out by 25 votes to 8, the French supporters being the Netherlands, Poland, Czecho-Slovakia, Serb-Croat-Slovene State, Costa Rica, Cuba and Venezuela.

The original resolution was passed without a dissentient vote, France abstaining. (Appendix II, Resolution No. 14.)

The draft convention as it now stands is printed in Appendix III (Annex 10).

TYPHUS.

147. At the meeting of the 14th September, M. Ador (Switzerland) read a statement summarising the action that had been taken by the Special Epidemics Committee appointed to administer the funds raised from Governments and individuals for combating typhus and other epidemic diseases in Poland, and considered that the work had been very successful, having regard to the paucity of funds available. He pointed out that the difficulties were increased by the present economic situation in Russia, and begged the Committee to pass a resolution asking the Governments of the League to grant adequate subsidies. On the motion of Mr Wellington Koo, a resolution was adopted to the effect that the Assembly be asked to recommend that the organisation of the Epidemic Committees be continued, and, if necessary, extended to other countries, and that the Presidents of the Assembly and the Council should be asked to issue a special appeal to Members of the League for further contributions.

148. In presenting the Committee's report to the Assembly, M. Ador (Switzerland) said that out of the money promised by various States only 120,000*l.* had actually been paid, France being among the countries which had not yet contributed, and that meanwhile the Epidemics Committee set up to administer these funds had been able materially to improve the working of the health organisation in Poland. The resolution referred to above was then passed unanimously. (Appendix II, Resolution No. 5.) *Action by the Assembly.*

THE INTERNATIONAL CO-ORDINATION OF INTELLECTUAL WORK.

149. This was a matter which the Assembly had decided to take up last year (*vide* paragraph 71 of the Indian Delegates' Report). The Committee expressed approval of a draft resolution prepared by M. Bourgeois (France), which had been put forward by the Council, and which was to the effect that a Committee should be set up "to examine international questions regarding intellectual co-operation and education," which should submit to the next Assembly a report on measures that might with advantage be taken by the League to promote international co-operation with regard to intellectual work.

The Committee resolved that this special Committee should consist, as proposed by M. Bourgeois, of not more than 12 members, to be selected by the Council, and on the proposal of the Norwegian Delegate it was decided to indicate that these members might include women. In the resolution as approved by the Committee, a reference to methods of education, which had been proposed in the Bourgeois draft, was omitted, as it was thought undesirable to create the impression that the League was anxious to interfere with national educational systems.

150. Professor Gilbert Murray (South Africa) who was appointed to put the matter before the Assembly, presented the Committee's report at the plenary meeting on the 22nd September, and indicated in the course of his speech that action for the co-ordination of intellectual work would be specially valuable in three main respects:—(1) for the protection of intellectual workers who in many countries had been reduced to a condition of great distress; (2) for the practical advancement of knowledge, which had been seriously impeded by the war; (3) for the spread of the international spirit. *Action by the Assembly.*

This resolution was carried unanimously. (Appendix II, Resolution No. 4.)

EASTERN GALICIA.

151. On the 27th September the Assembly adopted without discussion a resolution asking for expedition on the part of the Allied and Associated Powers on the subject of determining the status of Eastern Galicia originally proposed by Mr Doherty (Canada) and approved with slight alterations by Committee No. V. (Appendix II, Resolution No. 11.)

Work of Committee No. VI (Political Questions.

ADMISSION OF NEW STATES TO THE LEAGUE.

152. The candidates were Esthonia, Latvia and Lithuania—who were not admitted last year on the ground that their internal conditions were at the time very uncertain and that the League could not well protect them in the event of Russian re-vindication—and Hungary.

The Committee now thought that the time had come for the full admission of the three States first-named, which had been permitted last year to join the League's technical organisations, and this recommendation was endorsed by the Assembly.

153. As regards Hungary, the Hungarian emissaries present in Geneva decided to ask that their application for admission should be postponed till next year, and this was a wise course to take as at the recent Assembly Hungary's application would certainly have been rejected in view of her attitude in regard to the territories she was to cede to Austria and other treaty obligations. (Appendix II, Resolution No. 17.)

ALBANIA.

154. The Committee sitting of the 26th September was devoted to a rather stormy discussion, in which the protagonists were the Albanian and Serbian delegates, as to the situation in Albania.

The Albanian delegate (Bishop Fan Noli) had proposed that the League of Nations should request the principal Governments concerned to compel the Serbs to withdraw from Albanian territory they occupied in defiance of the boundaries fixed in 1913; that a commission should be sent to report on the situation on the spot: and that the League should use its influence to obtain *de jure* recognition of the Tirana Government.

Mr. Fisher (Great Britain) indicated that the actual delimitation of the frontiers of Albania had been referred to the Conference of Ambassadors, that the British view was that their decision when announced would be binding, and that the Greek and Serb-Croat-Slovene Governments had bound themselves to accept this decision, but the Albanian Government had not done so. He urged Bishop Fan Noli to follow the example of his neighbours. The Marquis Imperiali (Italy) agreed with Mr. Fisher that the Conference of Ambassadors alone was competent to deal with this frontier delimitation. Lord Robert Cecil proposed two resolutions, *viz.*, that the Assembly should (1) recommend to Albania acceptance of the decision that would be come to by the Supreme Council on the report of the Ambassadors Conference, and (2) should request the Council of the League, after the decision of the Supreme Council had been given, to appoint forthwith a commission of three impartial persons to proceed to Albania and report as to the execution of this decision. M. Reynald (France) and M. Frangulis (Greece) opposed this latter resolution, but after some discussion it was carried, as also the first.

Lord Robert Cecil also obtained approval to a suggestion that representations should be made in respect of speedy decision by the Ambassadors Conference in regard to the territorial disputes between Albania, Greece, and the Serb-Croat-Slovene State.

155. These resolutions were presented by Lord Robert Cecil to the Assembly on the 3rd October, with a supplementary resolution that, in order to provide for the expenses of the Committee of Enquiry proposed, the sum of 100,000 gold francs should be provided in the budget of 1922. There was

considerable discussion, in which the representatives of Albania, Italy, Serb-Croat-Slovene State, Greece, France, and Mr. Balfour took part, and the Greek delegate (M. Casangis) proposed that to the Committee of Enquiry should be added representatives of Greece, Albania, and Serbia. This amendment was, however, withdrawn on the appeal of Lord Robert Cecil, who pointed out that the addition of interested parties was not likely to help the Commission to speedy and impartial decisions. The resolutions were then adopted, with the proviso that that relating to the vote of credit must be further considered in connection with the discussion of the Budget. (Appendix II, Resolution No. 20.)

FAMINE IN RUSSIA.

156. On the 9th September Dr. Nansen moved the following resolution in the Assembly :—

“ That the Assembly refer to a Committee the question of the present famine in Russia.

“ That the Committee consider whether it is advisable for the Assembly (1) to make a pressing appeal to the Governments to provide the necessary credits, and (2) to invite the Council to offer the services of the Organisation for International Credits (established by the Council of the League in connection with the Ter Meulen scheme) to act as trustee for the financial control of any credits made available and for the supervision of any security provided by the Russian Government against such credits.”

In a speech which he made in introducing the resolution, Dr. Nansen said that the action of the International Conference held at Geneva on the 15th August in appointing him High Commissioner for Relief Work in Russia had enabled him to study the situation on the spot. He had satisfied himself that the condition of famine in the affected districts had not been exaggerated, and that an expenditure of 300 million was needed in order to obtain the necessary grain supplies from outside Russia. He considered that adequate control could be exercised, both over relief supplies and credits advanced to Russia, by the Western Governments.

157. The resolution was referred to Committee No. VI, which reported on the subject to the Assembly on the 30th September.

The report was introduced by M. Motta, who stated that although the Committee could not adopt the suggestions contained in Dr. Nansen's resolution, it had decided that it could not remain indifferent or abstain from all action. As regards the question of official credits, the Committee considered that as the Supreme Council had appointed an International Relief Committee, to meet at Brussels on 6th October, which would contain representatives of 27 Governments, including the United States of America and Germany, the League should not take up a question which was to be decided by another body. In the matter of the agreements which had been concluded between Dr. Nansen and the Soviets, the Assembly was not competent to do more than affirm its confidence in Dr. Nansen. On the other hand, the Committee had decided that it was necessary to address an appeal to public opinion and to the charitable organisations of the world; that it was desirable to call attention to the claims for relief of Armenia, Azerbaidjan, and Georgia; and that Governments might help by surrendering military stores of clothing and provisions accumulated during the war. M. Motta also associated himself with two supplementary resolutions proposed by Lord Robert Cecil, the first a motion of confidence in Dr. Nansen, and the second expressly disengaging the responsibility of the League for Russian relief in view of the statement made by several delegates to the effect that their Governments would not grant official credits.

Dr. Nansen mourned eloquently over the defeat of his resolution, which he said had not been proposed in order to strengthen appeals to private charities, which needed no such spur. It was a disastrous mistake to throw the burden upon these organisations, which could not cope with the situation. The American organisation was feeding 3,000,000 children; the Pope had given a million

lire; the "Save the Children Fund" could feed a quarter of a million; and the Second International at Amsterdam had contributed 10,000,000 marks. But this was not enough. The Governments of Norway, Sweden, Esthonia, Latvia and Lithuania had already acted, and he was convinced that the people of Europe would compel their Governments to revise their present decision. Unless this were done the Brussels Conference could effect nothing. His agreement with the Soviets had been criticised, but if no help were forthcoming until a Committee of Enquiry had been sent into Russia and a new agreement drawn up, then that help would come too late.

M. Spalaikovitch (Serb-Croat-Slovene State) then proposed the following amendment to the Committee's resolution:—

"The Assembly most severely condemns the economic and political system of the Soviet Government and holds it chiefly responsible for the present catastrophe in Russia and for the attempt to conduct a criminal propaganda with the object of causing similar catastrophes in other countries."

Mr. Fisher begged that this might be withdrawn, and by way of propitiation proposed to substitute the following for Lord Robert Cecil's motion of confidence in Dr. Nansen:—

"The Assembly has no sufficient information as to the influences by which the Soviet Government is moved, or as to the conditions under which it is working, but it considers that Dr. Nansen's successful repatriation of prisoners of war augurs well for any enterprise he may be prepared to undertake for the relief of famine-stricken regions in Armenia, Azerbaidjan, Georgia and Russia.

Both Lord Robert Cecil and M. Spalaikovitch agreed to this, and the resolution was passed by the Assembly, together with the resolutions put forwarded by the Committee and the further resolution proposed by Lord Robert Cecil, and referred to above, which emphasised that the main reason why the Assembly could take no official action was because delegates had stated that their Governments could not give credits. (Appendix II, Resolution No. 16).

NATIONAL HOME FOR TURKISH-ARMENIANS.

158. A resolution moved in the Assembly by Professor Gilbert Murray, urging the Council of the League of Nations to press upon the Supreme Council the necessity, when peace was finally made between the Turks and the Allies, for safeguarding the future of Armenia and providing the Armenians with a national home independent of Turkish rule was adopted by Committee No. VI, and unanimously passed in the Assembly on the 21st September, though M. Bourgeois (France) held that this matter was outside the competence of the Assembly, and even of the Council of the League, and asked to make a reservation on this point. The resolution as passed by the Assembly is printed in Appendix II (Resolution 3).

MANDATES.

159. The Committee also considered a resolution moved by Lord Robert Cecil in respect of Mandates which ran as follows:—

"The Assembly regrets the delay which has taken place in the definition of the Mandates, recognises that the Council is not responsible for that delay, and is of opinion that it would be desirable that the Mandates of the A and B classes should be forthwith defined." (For definition of A, B and C Mandates, see the Indian Delegation's Report of last year, paragraph 146.)

The consideration of this motion was referred to a Sub-Committee on which the representatives of the British Empire were Lord Robert Cecil himself, Mr. Fisher and Mr. Doherty (Canada).

160. The report of the Sub-Committee, which was presided over by Dr. Nansen (Norway) was approved by the full Committee and considered by the Assembly at the sitting of the 23rd September.

The Sub-Committee's report fully endorsed the view taken in Lord Robert Cecil's resolution and proceeded to add various remarks. The principal of these were that—

- (1) The Committee felt it would be premature to press for immediate action in respect of A Mandates, but that B Mandates, which are founded on the Treaty of Versailles, might be more expeditiously dealt with.
- (2) It was consequently desirable that the Council should at the earliest possible opportunity formally approve the application of the mandate system to Togoland and the Cameroons, and adopt in principle the declaration signed by the representatives of the French and British Governments on 10th July 1919, as to the respective spheres which are to be placed under the authority of each Government.
- (3) It was desirable that the Assembly should invite the Council to state that it is satisfied by its perusal of the draft Mandates that, generally speaking, the principles there laid down carry out the objects which the Covenant has in view, and lay down adequate safeguards for the rights of all Members of the League; and that the Council should express its confidence that Mandatory Powers will continue the administration of the territories committed to their charge in the spirit of the draft Mandates, till it becomes possible to have their Mandates definitely regularised.

Some discussion took place on this, and Lord Robert Cecil, who had been a member of the Sub-Committee, said that personally he would like to see stronger provisions under the B Mandates in regard to the abolition of slavery, the liquor traffic and land. He also had some misgivings as to the provisions of the draft Mandates for Togoland and the Cameroons, which appeared to allow the Mandatories in effect to treat these territories as an integral part of their dominions, but he admitted that there appeared to be no breach of Article 22 of the Covenant. He had associated himself with the report of the Sub-Committee, instead of submitting a minority report, on receiving assurances from the representatives of Great Britain, France and Belgium that their Governments would raise no objection to an examination of reports on the mandated territories by the Mandates Commission set up by the Assembly last year, pending definite regularisation of the situation.

It was then proposed that the Assembly should endorse the Committee's report, and after discussion this was carried unanimously. M. Bourgeois (France) indicated, however, that, while it was the desire of the Council to carry out the work in connection with Mandates as far as possible, he must enter a *caveat* against any action which might prejudice the negotiations going on between the United States and the principal Allied Powers. The Assembly's resolution is printed in Appendix II (Resolution No. 9), and the Committee's report in Appendix III (Annex 11).

Miscellaneous Questions dealt with in Full Assembly.

Poland and Lithuania.

161. On the 24th September the Assembly took up a whole day, morning and afternoon, in a discussion on the Polish-Lithuanian question in respect of Vilna, etc. This had been debated by the Council on the 19th and 20th, and on the latter day there had been the innovation of the Council's debate being in public. That meeting had been signalised by a very striking and eloquent speech by Mr. Balfour, in which he strongly criticised the action of the two litigants in evading real decision on the proposals of M. Hymans, who, with their consent, had been appointed by the Council to try to obtain agreement between them. Reading between the lines, his criticism was mainly directed against Poland, as the chief sinner by reason of the fact that General Zeligowski is still in possession of Vilna with the evident connivance of the Polish Government.

The Council had passed a resolution to the effect that they unanimously accepted M. Hymans' second draft scheme, which did not differ in principle from the first, the underlying idea of both being that Vilna should be assigned to Lithuania but on a separate cantonal basis; and that as the Assembly was in session, M. Hymans would be asked to explain to them the present position of the dispute "in order that the Assembly may by its authority contribute to a settlement of the question."

M. Hymans made a very fine speech, explaining at length the phases of the negotiations and the difficulties he had encountered from both parties, and he appealed to both to make sacrifices in the cause of peace.

He was followed by M. Miloscz for Lithuania, who said that his Government were ready to accept, with some modifications, M. Hymans' latest final scheme but that the dispute could not be ended till General Zeligowski had evacuated Vilna.

M. Askonasy (Poland) made a very lengthy oration on behalf of his country, but the general impression of the Assembly was well summed up by Lord Robert Cecil, who indicated that the old sympathy of the world with Poland had been materially reduced by the evident connivance of her Government in the Zeligowski *coup d'état*. He proposed a resolution with a rider suggested by M. Zahle (Denmark), urging the two peoples to come to an agreement, and extending the support of the Assembly to the Council in their handling of the matter. (Appendix II, Resolution No. 10.)

Repatriation of Prisoners of War.

162. Dr. Nansen (Norway) read a report on his operations in regard to the repatriation of prisoners of war, in which he stated, *inter alia*, that he had received financial support from various Governments to the extent of 425,000*l.*, Great Britain having been the most liberal contributor, and that as against these funds some 380,000 people had been returned to their families, many of them from remote parts of the old Russian Empire where communications were exceedingly difficult. He paid tribute to the effective co-operation of the Soviet and German Governments.

A Universal Language.

163. A recommendation, signed by 13 Delegates, including His Highness the Maharao of Kutch, presented to the Assembly a resolution for the encouragement of Esperanto as an universal language. (A similar resolution was put forward last year and rejected—*vide* paragraph 70 of the Indian Delegation Report on the work of last year's Assembly.) It was decided to postpone the consideration of the question. (Appendix II, Resolution No. 42.)

The Election of the non-permanent Members of the Council.

164. This matter was dealt with at the Assembly meeting on the 5th October, after the Report of Committee No. I. on Article 4 of the Covenant had been considered and approved (*vide* paragraph 38).

It followed that the Assembly was morally bound by its own action to re-elect the existing non-permanent States. But as a formal election was necessary, it was decided that this might be by collective voting for all four States instead of by a ballot for one State at a time as last year. The result was the re-election of Brazil, Spain, Belgium and China.

Concluding remarks.

165. The Assembly broke up on the evening of the 5th October. The work done this year was of a quite solid and useful nature, and the League obtained a considerable amount of prestige by the reference to its Council of the solution of the Upper Silesian question. Whether that prestige will be maintained depends, of course, on the working out in practice of the Council's partition scheme. The coping stone was laid, by the election of judges, to the Tribunal of International Justice, and useful decisions were taken in regard

to technical organisations, and with reference to the traffic in women and children, while the question of the reduction of armaments was discussed in a more practical manner than in 1920, though it was felt that no great progress could be made pending the results of the conference at Washington. The Assembly felt itself unable to follow up Dr. Nansen's request for Government credits for the alleviation of the famine in Russia, but expressed full sympathy with his philanthropic crusade.

As regards matters in which India was specially concerned, we obtained complete satisfaction in the matter of the Assembly's redraft of the Council's resolution on the subject of opium; we made ourselves materially felt in Committee IV, and obtained some reductions in expenditure, and the adoption of a resolution as to paying greater attention to representation of nationalities, our own included, in the League Secretariats. We had also the satisfaction of seeing the adoption of the proposal that the Indian Delegation made last year, which was then rejected, for an outside Committee of Control over the estimates and accounts of the Secretariat and the International Labour Bureau. As regards allocation of contributions, we have had for the time being (subject to the ratification of our Government) to accept a provisional scheme in substitution of the Postal Union Scale, which burdens India more than the latter did, but we have obtained, though not in such a definite form as we should have wished, the principle that this scheme is only provisional and that it ought to be replaced by a better.

Our relations with the Dominions representatives, though very friendly, were not so close as last year, as we were at variance over the allocation scheme.

As last year, we received valuable assistance on occasion from the British Delegation and were specially indebted to Mr. Balfour for kindly advice and endeavour to reconcile differences when these arose, as in regard to the allocation scheme, between ourselves and some of the Dominions. As last year again, the delegates of India all worked together in the most cordial and harmonious way.

W. S. MEYER.

MAHARAO KHENGARJI OF KUTCH.

V. S. SRINIVASAN.

LONDON,

25th November 1921.

LIST OF APPENDICES.

	PAGE
Appendix I. List of States represented and of Delegations	51
Appendix II. Resolutions and Recommendations passed by the Assembly	54
Appendix III. Reports of Committees of the Assembly, and other connect- ed documents	70
— ANNEX 1. The Raw Materials Problem (<i>see</i> paragraph 48)	70
— " 2. Reduction of Armaments (<i>see</i> paragraph 61)	74
— " 3. The Economic Weapon (<i>see</i> paragraph 65)	79
— " 4. Organisation of the Secretariat and of the International Labour Office (<i>see</i> paragraph 70)	88
" 5. Allocation of Expenses (<i>see</i> paragraph 91)	107
" 6. Original Budget of the League (<i>see</i> paragraph 111)	113
" 7. Original Budget of the Labour Organisation (<i>see</i> paragraph 111)	115
" 8. Financial Administration of the League (<i>see</i> paragraph 119)	118
— " 9. Traffic in Opium (<i>see</i> paragraph 120)	125
— " 10. Traffic in Women and Children (<i>see</i> paragraph 138)	127
— " 11. Mandates (<i>see</i> paragraph 159)	129
Appendix IV. Speeches delivered by the Delegates of India in the Assembly, and resolutions proposed by Sir William Meyer in Committee No. IV	130
ANNEX 1. Speech delivered by the Right Hon. V. S. Srinivasa Sastri during the general debate on the work of the Council (<i>see</i> paragraph 11)	130
" 2. Resolution moved by Sir W. Meyer in Committee No. IV, and speech in the Assembly, on the subject of the organisation of the Secretariat (<i>see</i> paragraph 77 and 90)	133
" 3. Memorandum and resolutions tabled by Sir William Meyer in Committee No. IV, on the subject of the allocation of the expenses of the League (<i>see</i> paragraph 94)	134
" 4. Speech delivered by Sir William Meyer on the subject of the financial administration of the League (<i>see</i> paragraph 119)	135

APPENDIX I.

List of States represented and of their Delegates. (Many Delegations were also accompanied by Substitute Delegates other than those mentioned in this List and numerous Expert Advisers.)

ALBANIA.—Mgr. Fan S. Noli (Member of Parliament). M. Midhat Frasheri (Member of Parliament, President of the Albanian Delegation in Paris). M. Michel Hil Mosi (Member of Parliament).

Substitute and Secretary-General.—Dr. Penoit Blinishti (Member of the Albanian Ministry of Foreign Affairs).

AUSTRALIA.—Captain Stanley Melbourne Bruce, M.C. (Member of Parliament). Mr. Malcolm Lindsay Shepherd, I.S.O. (Acting High Commissioner in Great Britain).

AUSTRIA.—M. Albert Mensdorff-Pouilly-Dietrichstein (former Ambassador).

Deputy Delegate.—M. Emeric Pflugl (Resident Minister).

BELGIUM.—M. Paul Hymans (former Minister of Foreign Affairs, Minister of State). M. P. Poulet (former President and Member of the House of Representatives). M. Henri La Fontaine (Vice-President of the Senate, President of the Union of International Associations). M. Henri Rolin (Assistant Legal Adviser at the Ministry of Foreign Affairs).

BOLIVIA.—M. Carlos Victor Aramayo. Dr. Demetrio Canelas.

BRAZIL.—M. Gastao da Cunha (Ambassador at Paris). M. Raoul Fernandes (Member of the Federal House of Representatives). M. Cincinato da Silva Braga (Member of the Federal House of Representatives).

BRITISH EMPIRE.—The Right Hon. A. J. Balfour, O. M., M. P. (President of the Privy Council). The Right Hon. H. A. L. Fisher, M. P. (Minister of Education). The Right Hon. Sir J. Rennell Rodd, G.C.B., G.C.M.G., G.C.V.O.

BULGARIA.—M. Alexandre Stambolisky (Prime Minister, Minister of Foreign Affairs). M. Stephane Panaretoff (Minister Plenipotentiary at Washington). M. Svétoslav Pomenow (Chargé d'Affaires at Berlin).

CANADA.—The Right Hon. Charles Joseph Doherty, M. P. (Minister of Justice). The Hon. Sir George H. Perley, K.C.M.G. (High Commissioner in London).

CHILE.—His Excellency M. Agustin Edwards (Envoy Extraordinary and Minister Plenipotentiary in Great Britain). M. Manuel Rivas-Vicuna (Envoy Extraordinary and Minister Plenipotentiary). M. Jorges Valdes-Mandeville (Chargé d'Affaires in Switzerland). Lieut.-Col. Manuel Bülnes (Military Attaché).

CHINA.—Dr. Vikiuin Wellington Koo (Envoy Extraordinary and Minister Plenipotentiary in London, Representative on the Council of the League of Nations). M. Tang Tsai-Fou (Envoy Extraordinary and Minister Plenipotentiary at Rome). Dr. Wang Chung-Hui (President of the Supreme Court of China).

COLOMBIA.—Dr. Francisco José Urrutia (Envoy Extraordinary and Minister Plenipotentiary in Switzerland and Spain). Dr. Antonio José Restrepo (Barrister for the Republic in the Colombo-Venezuelan Arbitration).

COSTA-RICA.—M. Manuel de Peralta (Minister at Paris).

CUBA.—Señor Cosme de la Torriente (Senator, President of the Commission of Foreign Affairs, Member of the Hague Arbitral Tribunal, former Minister Plenipotentiary, former Minister of Foreign Affairs). Dr. Aristides de Agüero y Bethancourt (Minister Plenipotentiary in Germany). Señor Guillermo de Blanck (Minister Plenipotentiary in Switzerland and Holland).

Deputy Delegate and Secretary.—Dr. Miguel Angel Campa (Minister Plenipotentiary in Japan).

CZECHO-SLOVAKIA.—Dr. Edouard Benes (Minister of Foreign Affairs). Dr. Cyril Dusek (Minister of Czecho-Slovakia in Switzerland). Dr. Stefan Osusky (Minister of Czecho-Slovakia at Paris).

Substitutes.—Dr. Robert Flieder (Chargé d'Affaires in Vienna). M. Pavel Baráček-Jacquier (Councillor of Legation). Dr. Jan Reisser (Councillor of Legation). Dr. Ivan Krno (Councillor of Legation).

DENMARK.—M. Herluf Zahle (Chamberlain, Envoy Extraordinary and Minister Plenipotentiary in Stockholm, Member of the Permanent Court of Arbitration). Dr. Laüst Moltesen (Member of Parliament, Doctor of Philosophy). Dr. P. Munch (Member of Parliament, Doctor of Philosophy).

Substitutes.—M. Andrés de Oldenburg (Envoy Extraordinary and Minister Plenipotentiary at Berne). Count Bent Holstein (Member of Parliament, Barrister at the Court of Appeal). M. J. Borgbjerg (Member of Parliament).

- FINLAND.**—M. Charles Enckell (Minister Plenipotentiary at Paris). M. Rafael Waldemar Erich (Envoy Extraordinary and Minister Plenipotentiary, Professor at the University of Helsingfors, former Prime Minister). M. Emile Einar Book (Director-General of the Department for Social Affairs).
- FRANCE.**—M. Léon Bourgeois (President of the Senate, French Representative to the Council of the League of Nations). M. René Viviani (Member of the Chamber of Deputies, former Prime Minister). M. Gabriel Hanotaux (Member of the French Academy, former Minister of Foreign Affairs).
- Substitutes.*—M. Georges Marie Reynald (Senator). M. Georges Noblemaire (Member of the Chamber of Deputies). M. Maurice Sibille (Member of the Chamber of Deputies). M. Jean Hennessy (Member of the Chamber of Deputies).
- Deputy Delegate.*—M. Richard William Martin (Minister Plenipotentiary).
- GREECE.**—M. Georges Baltazzi (Minister of Foreign Affairs). M. Démètre Panas (Minister at Bucarest). M. G. Streit (former Minister of Foreign Affairs).
- Deputy.*—M. Dendramis.
- Substitutes.*—M. Stélio Seferiades (Professor of International Law). M. Const. Kajandjis (Governor-General of Eastern Macedonia). M. Antoine F. Frangulis (Resident Minister).
- HAITI.**—M. Dante S. Bellegarde (Minister at Paris).
- INDIA.**—Sir William Stevenson Meyer, G.C.I.E., K.C.S.I. (High Commissioner for India). His Highness the Maharao of Kutch, G.C.S.I., G.C.I.E. The Right Hon. V. S. Srinivasa Sastri.
- ITALY.**—M. Vittorio Scialoja (Senator, Professor at the Royal University of Rome). Marquis Guglielmo Imperiali dei Principi di Francavilla (Ambassador, Senator). M. Carlo Schanzer (Vice-President of the State Council, Senator).
- Substitutes.*—M. Maggiorino Ferraris (Senator, former Minister). Prince Pietro Lanza di Scalea (former Member of the Chamber of Deputies, former Under Secretary of State for Foreign Affairs). Prince Alberto Giovanelli (former Member of the Chamber of Deputies).
- JAPAN.**—Baron Hayashi (Japanese Ambassador to Great Britain). Viscount K. Ishii (Japanese Ambassador to the French Republic). M. Minéitcîrô Adatei (Japanese Ambassador to Belgium).
- Substitutes.*—M. S. Tatsuke (Minister in the Netherlands). M. A. Ariyoshi (Minister in Switzerland).
- LIBERIA.**—Baron Rudolph Auguste Lehmann (Chargé d'Affaires at Paris).
- Substitute and Secretary.*—M. Nicolas Ooms (Secretary of Legation in France).
- LUXEMBURG.**—M. Emile Reuter (Minister of State, Prime Minister). M. Antoine Lefort (Councillor of State).
- NETHERLANDS.**—Jonkheer H. A. van Karnebeek (Minister of Foreign Affairs). Jonkheer B. de Marees van Swinderen (Envoy Extraordinary and Minister Plenipotentiary in London, former Minister of Foreign Affairs). Professor A. A. H. Struycken (Member of the Council of State, Member of the Permanent Court of Arbitration).
- Substitutes.*—Professor M. W. F. Treub (Member of the Chamber of Deputies, former Minister of Finance, former Minister of Agriculture, Industry and Commerce). Jonkheer W. J. M. van Eysinga (Professor at the University of Leyden).
- NEW ZEALAND.**—The Right Hon. W. F. Massey, M.P. (Prime Minister). Colonel Sir James Allen, K.C.B. (High Commissioner).
- NORWAY.**—Dr. Nansen (Professor at the University of Christiania). M. O. Blehr (Prime Minister). M. Christian Michelet (Barrister, Member of Parliament, former Minister of Foreign Affairs).
- Substitutes.*—Dr. Christian Lous Lange (Secretary-General of the Inter-Parliamentary Union). Dr. Mikael H. Lie (Professor at the University of Christiania). Dr. (Miss) Kristine Bonnevie (Professor at the University of Christiania).
- PANAMA.**—Dr. Raoul Amador (Chargé d'Affaires at Paris).
- PARAGUAY.**—Dr. Hector Velázquez (Envoy Extraordinary and Minister Plenipotentiary). M. Montero.
- PERSIA.**—Prince Arfa-ad-Dovleh (Ambassador, former Minister of Justice). Emir Zoka-ed-Dovleh (Envoy Extraordinary and Minister Plenipotentiary of Persia in Switzerland).
- POLAND.**—Professor Simon Askenazy. M. Casimir Olszowski (Director at the Ministry of Foreign Affairs). M. Jean de Modzelewski (Minister Plenipotentiary in Switzerland).

PORTUGAL.—M. João de Mello Barreto (Minister for Foreign Affairs). M. Freire d'Andrade (former Minister for Foreign Affairs). M. Antonio Maria Bartholomeu Ferreira (Minister at Berne).

RUMÂNIA.—M. N. Titulesco (Minister of Finance). Professor Thomas Jonsco (Member of the Chamber of Deputies, Chancellor of the University of Bucarest). Professor Démètre Negulesco (former Member of the Chamber of Deputies, Professor of Law at the University of Bucarest).

Substitute.—Miss Helen Vacaresco.

SERB-CROAT-SLOVENE STATE.—Dr. Miroslav Spalaikovitch (Member of the Chamber of Deputies, former Minister of Foreign Affairs). Dr. Miloutine Yovanovitch (Minister Plenipotentiary at Berne). Professor Miléta Novakovitch (Professor at Belgrade University).

SIAM.—Prince Charoon (Minister at Paris, Representative to the League of Nations). Phya Bibadh Kosha (Minister at Rome, Madrid and Lisbon).

Substitutes and Secretaries.—M. Chune Charavastra (Secretary to the German-Siamese Mixed Arbitral Tribunal). M. T. L. Hoontrakool (Third Secretary to the Legation in Paris).

SOUTH AFRICA.—The Hon. Sir Edgar Harris Walton, K.C.M.G., High Commissioner in London, The Right Hon. Lord Robert Cecil, K.C., M.P. Professor George Gilbert Aimé Murray, M.A., LL.D.

Substitute.—Sir Henry Strakosch.

SPAIN.—Count de Gimeno (Senator, former Minister of Foreign Affairs). M. José Quiñones de León (Ambassador at Paris, Representative on the Council of the League of Nations). M. Emilio de Palacios (Under Secretary of State for Foreign Affairs, Envoy Extraordinary and Minister Plenipotentiary).

Substitutes.—Admiral Marquis Magaz. M. José de Yanguas (Member of the Chamber of Deputies, Professor at the University of Madrid).

SWEDEN.—M. Hjalmar Branting (Member of the Chamber of Deputies, former Prime Minister). M. Trygger (Senator, former Judge of the Supreme Court). M. Lofgren (Former Minister).

Substitutes.—Baron F. Ramel (Minister at Christiania). Madame Anna Bugge-Wicksell (Master of Law). Professor Oesten Unden (former Minister of Justice, Professor at the University of Upsal).

SWITZERLAND.—M. Giuseppe Motta (Federal Councillor, Head of the Federal Political Department). M. Gustave Ador (Former Federal Councillor, President of the International Red Cross Committee). M. Paul Usteri (Member of the Council of States).

Deputy Delegate.—M. Max Huber (Legal Adviser to the Federal Political Department, Professor of International Law at the University of Zurich).

URUGUAY.—M. Juan Carlos Blanco (Envoy Extraordinary and Minister Plenipotentiary at Paris, former Minister of Public Works). M. Pedro Manini Rios (Deputy, former Minister of the Interior, Professor at the Faculty of Law).

VENEZUELA.—Dr. Diogenes Escalante (former Consul-General, former Member of the Chamber of Deputies). Dr. Santiago Key-Ayala (former Adviser of the Ministry of Foreign Affairs). Dr. C. Parra-Perez (Chargé d'Affaires in Switzerland).

STATES NOT MEMBERS OF THE LEAGUE.

***ESTHONIA.**—M. Antoine Piip (Minister of Foreign Affairs). M. Charles Robert Pusta (Minister Plenipotentiary at Paris and at Rome).

GEORGIA.—M. Nicolas Tcheidze (President of the Constituent Assembly). M. Constantin Sabakhtarichvili (Under Secretary of State for Foreign Affairs). M. Khariton Chavichvili (former Councillor of the Georgian Legation at Berne).

HUNGARY.—Count Albert Apponyi (former Minister, former speaker of the Chamber of Deputies).

***LATVIA.**—M. Voldemar Salnaïs (Under Secretary of State to the Minister of Foreign Affairs). M. Michael Walters (Minister at Rome). M. Olgerd Grosvald (Minister at Paris).

***LITHUANIA.**—M. Ernest Galvanauskas. M. Thomas Naruchevitch. M. O. U. de Milosz.

Substitute Representative.—M. V. Sidzi Kauskas.

*Admitted to full membership in the course of the session.

APPENDIX II.

Resolutions and Recommendations adopted by the Assembly in the course of its Second Session.

(NOTE.—The numeration and wording which follow are not necessarily those which may be ultimately adopted.)

1. APPOINTMENT OF A COMMITTEE TO CONSIDER MOTIONS SUBMITTED TO THE ASSEMBLY (13th September 1921).

The Assembly resolves that a Committee be appointed to advise the Assembly, should occasion arise, as to the inclusion in the agenda of motions submitted during the session.

2. PERMANENT COURT OF INTERNATIONAL JUSTICE (14th September 1921).

The Assembly, in accordance with Article 7 of the Statute of the Permanent Court of International Justice, and notwithstanding Article 21 of its Rules of Procedure, decides that the candidates whose names are included in the list drawn up by the Secretariat, in accordance with Article 7 of the Statute, shall be eligible for election at any ballot held by the Assembly in the course of the same sitting.

3. ARMENIA (21st September 1921).

Seeing that the First Assembly on 18th November 1920 entrusted the Council with the duty of safeguarding the future of Armenia;

And that the Council on 25th February 1921, while holding that the situation in Asia Minor made action for the time being impossible, entrusted the Secretary-General with the duty of watching developments in Armenian affairs with a view to procuring subsequent decisions by the Council;

And that in the meantime the Supreme Council in the revision of the Treaty of Sèvres, proposed to make provision for a national home for the Armenians;

Seeing, further, the probable imminence of a Peace Treaty between Turkey and the Allied Powers at no distant date;

The Assembly urges the Council to press upon the Supreme Council of the Allies the necessity of making provisions in this Treaty for safeguarding the future of Armenia, and in particular of providing the Armenians with a national home entirely independent of Turkish rule.

4. ORGANISATION OF INTELLECTUAL WORK (21st September 1921).

The Assembly approves the draft resolution put forward by M. Léon Bourgeois in the name of the Council: namely, the nomination by the Council of a Committee to examine international questions regarding intellectual co-operation, this Committee to consist of not more than 12 members, and to contain both men and women.

5. THE CAMPAIGN AGAINST TYPHUS IN EASTERN EUROPE (21st September 1921).

The Assembly resolves that, in view of the economical and successful results achieved by the League of Nations Epidemics Commission in reinforcing the preventive sanitary measures undertaken by the Polish Health Administration in the campaign against typhus, the work of the Commission be continued and extended to other countries as necessity arises, provided the Council considers it expedient.

To this end the President of the Assembly and the President of the Council are requested to issue a special appeal to the Members of the League for liberal financial support, and to ask those States which have not found it possible to make available the contributions which they so generously promised to do so as soon as possible.

6. REPORT OF THE ADVISORY AND TECHNICAL COMMITTEE ON COMMUNICATIONS AND TRANSIT (22nd September 1921).

(1) Without prejudice to the terms of paragraph 4 of section 1 of the Resolution of 9th December 1920, relating to the Organisation for Communications and Transit, the general Conferences on Communications and Transit shall meet as of right at the seat of the League on the request of one-half of the Members of the League. Such request shall be addressed to the Secretary-General of the League, and the object and the agenda of the Conference shall be attached to the request. It shall be the duty of the Secretary-General of the League to convene the Conference.

(2) The Assembly, having been informed of the Report of the Advisory and Technical Committee for Communications and Transit on the action taken by the Governments with regard to the resolutions adopted by the Conference on Passports, Customs' Formalities and "Through Tickets" which was held in Paris, October 1920, observed with the keenest satisfaction that a certain number of States have already put into force part of the measures—so important for international relations, and unanimously recommended by this Conference—tending towards the simplification of formalities connected with the obtaining of passports and visas, the reduction of passport prices, and the unification of passport regulations.

The Assembly draws the attention of all States, which have not yet been able to adopt the recommendations of the Conference, to the necessity of reconsidering the question and of informing the Secretary-General of the League of Nations of the solution ultimately reached.

(3) The Assembly proposes that the Members of the League of Nations should grant to the members of the various Committees of the League, during their period of office, every possible facility in the matter of passports, particularly with regard to the regulations affecting visas and the period of their validity.

(4) The Assembly takes note of the designation by the Advisory and Technical Committee for Communications and Transit of a railway expert (national of a riparian State of the Danube), and invites the Committee to proceed also, in its next session, to the designation of one or more than one other expert, specially qualified in the different matters dealt with by this Committee and nationals of other riparian States of the Danube.

7. RULES OF PROCEDURE OF THE ASSEMBLY (23rd September 1921).

The Assembly resolves that Rule 20 of the Rules of Procedure of the Assembly, as adopted on 14th November 1920, shall be amended to read as follows:—

"The Assembly shall vote by 'Appel Nominal,' except when the Members of the League of Nations represented at the meeting agree that the method of voting shall be by heads of Delegations rising in their seats, and except in the cases provided for in Rule 21. The 'Appel Nominal' shall be taken in one of the following manners as the Assembly may decide:—

- (a) The name of each Delegation shall be called, and one of its members shall reply, 'Yes,' 'No,' or 'Not voting.' The result of the vote shall be recorded and announced to the Assembly; or
- (b) The Delegation, etc." (as in the second paragraph of Rule 20).

8. DEPORTATION OF WOMEN AND CHILDREN IN TURKEY AND THE NEIGHBOURING COUNTRIES (23rd September 1921).

The Assembly resolves:—

- (1) That there shall be appointed in Constantinople a Commissioner of the League of Nations whose appointment shall be officially notified to the Allied and Associated High Commissioners, to the representatives of the other interested countries and Members of the League, to the Turkish Government and to the ecclesiastical authorities of the deported populations, namely the Greek and Armenian Patriarchs;
- (2) That the League request France, Great Britain and Italy to instruct their High Commissioners to constitute themselves as a Committee, whose duty it will be to concert action with a view to giving all possible assistance and powers to the League of Nations' Commissioner, for the carrying out of his duties;
- (3) That there shall be established, under the Commissioner of the League, a mixed Board to deal with the reclamation of women and children. This Board shall be composed of the present Members of the League of Nations Commission of Enquiry, with power to co-opt, in particular cases, a member of each interested nationality. This Board would look to the Allied Commissioners and to the co-operation of the Greek and Armenian Patriarchs for the necessary support in the carrying out of its decisions. The Assembly emphasises the desirability of encouraging the work of charity already being carried on in the different centres by various establishments;
- (4) That the neutral house for the temporary reception and examination of women and children reclaimed from Turkish houses shall be reorganised and placed under the direct management and supervision of the Commission of Enquiry;
- (5) That further neutral houses may be opened in other centres as circumstances permit.

9. MANDATES (23rd September 1921).

The Assembly, having considered the Report (A. 105, 1921) of 19th September 1921, addressed by the Sub-Committee on Mandates to Committee No. VI and endorsed by that Committee, resolves to approve the terms of that report (*see* Appendix III, Annex 11).

10. DISPUTE BETWEEN LITHUANIA AND POLAND (24th September 1921).

The Assembly, having heard the explanation of M. Hymans on the dispute between Poland and Lithuania, and having taken note of the resolution of the Council of the 20th September, expresses its warm appreciation of the skill and patience displayed by M. Hymans in the cause of peace, and thanks the Council for its action and assures it of the full support of the Assembly.

Appealing to their wisdom and to their common memories of the past, the Assembly calls upon the two peoples to reach an agreement, which is as necessary for them as for the peace of the world.

11. STATUS OF EASTERN GALICIA (27th September 1921).

The Assembly of the League of Nations expresses the wish that the Council of the League draw the attention of the Principal Allied and Associated Powers to the desirability of determining, at an early date, the status of Eastern Galicia.

12. ORGANISATION OF INTERNATIONAL STATISTICS (27th September 1921).

The Assembly:—

- (1) Commends to the Technical Organisations of the League the conclusions of the Provisional Economic and Financial Committee for the purpose of avoiding overlapping in the enquiries undertaken by the various Sections. At the same time it invites the co-operation of the International Labour Office in the matter.

Nothing in this resolution shall prejudice any decision on the organisation of statistical work.

- (2) Decides that statistics in the scientific sense will not be undertaken by the League as long as the question of the organisation of international statistics has not been decided, and that this question is entirely deferred until the next session.
- (3) It is understood that the League of Nations will make use, wherever expedient, of the data obtainable from existing international statistical offices and organisations without affecting in any way their autonomy.

The title of the "Bulletin" published by the League should indicate that it does not contain original statistics, but consists of figures collected from other statistical sources.

13. REPORTS OF THE PROVISIONAL ECONOMIC AND FINANCIAL COMMITTEE
(28th September 1921).

Whereas the Assembly has considered:—

- (a) The section of the "Report to the Second Assembly on the work of the Council and on the measures taken to execute the decisions of the First Assembly," which deals with the work of the Provisional Economic and Financial Committee since its entry upon its functions until the session of August-September 1921;
- (b) The Report presented to the Council by the Provisional Economic and Financial Committee upon its work during the session held at Geneva in August-September 1921, which has been communicated to the Assembly by the Council;
- (c) The Report dealing with "Certain Aspects of the Raw Materials Problem,"¹ presented by the Economic Section of the Provisional Economic and Financial Committee in accordance with the Council's Resolution of 27th October 1920, which has also been communicated to the Assembly by the Council:

And has noted with satisfaction the decisions taken by the Council on 19th and 21st September 1921:—

- (1) The Assembly notes that the constitution of a definite Economic and Financial Advisory Committee, as contemplated by the Resolution of the first Assembly dated 9th December 1920, on the economic organisation of the League, is not imperative during the forthcoming year, in view of the fact that the Provisional Economic and Financial Committee will continue its work till the next Assembly, as provided in the Council's Resolution of 19th September 1921.

¹ See Appendix III (Annex 1).

(2) The Assembly notes that it is of the greatest importance that the Provisional Economic and Financial Committee should carry out the programme of work indicated in the Reports mentioned above, including the study of the following questions: double taxation, the monetary situation, unfair competition, monopolies, *distribution of raw materials*, unification of legislation relating to bills of exchange, commercial methods designed to obviate the risks arising from fluctuations of the exchanges.

(3) The Assembly notes that the Council has requested the Provisional Economic and Financial Committee to consider the report upon the meaning and scope of the provision relating to the equitable treatment of commerce contained in Article 23 (c) of the Covenant. Taking account of the wishes formulated by the Conference of Barcelona, the Assembly expresses the confident hope that the Committee will direct and pursue its work, in co-operation with the Advisory and Technical Committee on Communications and Transit, in the manner best calculated to facilitate the earliest and most general application possible of the principle in question.

(4) The Assembly notes that the Council, with the advice of the Provisional Economic and Financial Committee, will entertain any application that may be received from States which feel the need of technical advisers on financial or economic administration.

(5) The Assembly agrees that it will probably not be necessary to convoke at an early date a general Conference for the study of the principal financial and economic questions; it approves the proposal whereby the Council, if it considers it desirable, may, with the advice of the Provisional Economic and Financial Committee, convoke *restricted* consultative conferences for the examination of special problems.

(6) The Assembly regrets that the work of the reconstruction of the finances of Austria in which the Provisional Economic and Financial Committee has been called upon to co-operate has been delayed for reasons which it hopes will shortly be removed.

(7) The Assembly, having had brought to its notice the continuing gravity of the exchange crisis and its dangerous effects upon the economic position and the conditions of labour of the working classes, invites the Provisional Economic and Financial Committee to carry on urgently its enquiries from various Governments as to the measures taken to ensure the application of the Resolutions of the Brussels Conference; the Assembly further invites the Committee to investigate, in accordance with the Governments' suggestions and as speedily as may be, all practical proposals which may be made for the completest possible application of these Resolutions.

In particular, the Assembly agrees to the proposal that the work of organising the International Credits Scheme should be pursued in the manner set out in the Report submitted by the Provisional Economic and Financial Committee to the Council.

The Committee is further invited to consider, as a matter of urgency, the measures necessary for the adaptation of the system of international credits to the various situations of different countries.

(8) The Assembly commends to the consideration of the Members of the League the general conclusions of the Report on Certain Aspects of the Raw Materials Problem, including those calling attention to the effects that may be produced on the economic life of other countries by artificial restrictions and duties on the export of essential raw materials.

(9) The Assembly, recognising the intimate connection between the restoration of transport facilities and the supply and distribution of raw materials, expresses the earnest hope that every effort will be made to expedite the work of the various Commissions charged with such matters as re-allocation and interchange of rolling-stock in certain parts of Europe.

(10) The Assembly invites the Advisory and Technical Committee on Communications and Transit to consider the desirability of action being taken, under the provision which empowers the Council to call partial or regional Conferences to consider special matters, with a view to promoting the improvement of facilities for intercommunication and transport between those States whose transport systems have specially suffered from disorganisation.

14. TRAFFIC IN WOMEN AND CHILDREN (29th September 1921).

The Assembly, having taken into consideration the Final Act of the Conference of Geneva on Traffic in Women and Children, approved by the Council, expresses the wish that those of its provisions which require conventional form, be adopted in that form by the Members of the League with the least possible delay. For this purpose the Assembly recommends that the Delegates who have the necessary full powers to sign the Draft Convention annexed,¹ should sign it without delay, and that those who do not yet possess them be invited to communicate immediately with their respective Governments in order to obtain the necessary powers to sign.

15. TRAFFIC IN OPIUM (30th September 1921).

I. The Assembly concurs in paragraphs 1, 2, 4 and 5 of the Resolution adopted by the Council on 28th June 1921² as follows:—

(1) That States which are Members of the League and have not signed or ratified the International Opium Convention be invited to do so as soon as possible.

¹ See Appendix III (Annex 10).

² See Appendix III (Annex 9).

(2) That the Netherlands Government be requested to continue its efforts to secure ratification of the International Opium Convention by those States which are not Members of the League.

(3) (Paragraph 4 of the Resolution of the Council.) That, in order to carry out the obligations under Articles 3 and 5 and under Article 13 of the International Opium Convention, the Governments which are parties to the Convention be invited to adopt the following procedure :—

“Every application for the export to an importer of a supply of any of the substances to which the Convention applies shall be accompanied by a certificate from the Government of the importing country that the import of the consignment in question is approved by that Government and is required for legitimate purposes.

In the case of drugs to which Chapter III of the Convention applies, the certificate shall state specifically that they are required solely for medicinal or scientific purposes.”

(4) (Paragraph 5 of the Resolution of the Council.) That the special attention of the Contracting Powers having Treaties with China be invited to the provisions of Article 15 of the International Opium Convention, so that the most effective steps possible should be taken to prevent the contraband trade in opium and other dangerous drugs.

II. The Assembly confirms the second recommendation passed by the Advisory Committee on Traffic in Opium during its session of 2nd-5th May 1921, as follows :—

(5) That a report should be made annually to the League by each country which is a party to the Convention, on the execution in its territory of the provisions of the Convention, with statistics of production, manufacture and trade.

III. The Assembly adopts the following additional recommendations presented by its Fifth Committee :—

(6) The Assembly concurs in paragraph 3 of the Council's Resolution of 28th June 1921, on the understanding that the enquiries undertaken will be of a scientific character and that, when they apply specifically to any particular country, they will be made through, or with the consent of, the Government of that country.

(7) The Assembly recommends to the Council that, in paragraph 5 of the latter's resolution dated 28th June 1921, it should also draw the attention of the Government of China to Article 15 of the International Opium Convention.

(8) The Assembly recommends to the Council that the enquiry referred to in paragraph 7 of the latter's resolution dated 28th June 1921 should be extended to include all opium the consumption of which may be considered legitimate, and that to this end the word “strictly” be omitted, and the word “legitimate” be substituted for “medicinal and scientific.” It further recommends to the Council the omission of the reference to prepared opium, that is to say, to opium prepared for purposes of smoking, the complete suppression of which is provided for in Chapter II of the Convention.

(9) The Assembly recommends to the Council that the different Governments be invited, where they see no objection, to furnish to the Secretariat, in addition to the official annual report, any information concerning the illicit production, manufacture or trade in opium, or other dangerous drugs which they think likely to be useful to the League in the execution of its task.

(10) The Assembly recommends the Council to consider whether all nations specially concerned in either the growth or manufacture of opium or other dangerous drugs should not be represented on its Advisory Committee.

(11) The Assembly urges those States Members of the League¹ which have not yet signed and ratified the Opium Convention to do so as soon as possible.

(12) In order to facilitate the execution of the Convention, the Assembly urges all States Members of the League which are parties to the Convention to signify to the Secretariat as soon as possible their acceptance of the fourth recommendation of the Advisory Committee relating to the requirement of importation certificates.

¹The following Members of the League have not yet ratified the Opium Convention of 1912 nor signed the Protocol of 1914 :—

Albania.	Esthonia.	Paraguay.
Argentine.	Finland.	Persia.
Chile.	Latvia.	Salvador.
Colombia	Lithuania.	Switzerland.
Costa Rica.		

The following have ratified the Convention, but not signed the Protocol of 1914 :—

Denmark.

Venezuela.

(13) The Assembly recommends the Council to request the Advisory Committee to extend their investigations to include not only the drugs mentioned in the Convention of 1912, but also all dangerous drugs of whatever origin which produce similar effects, and to advise as to the desirability of convoking a further international conference of States which are parties to the Convention, as well as States Members of the League of Nations, with a view to drawing up a Convention for the suppression of the abuse of such drugs.

16. RELIEF WORK IN RUSSIA (30th September 1921).

After having heard the Report of its Committee and the statement by Dr. Nansen—to whose activity and devotion it is happy to pay tribute—and after having taken note of the generous appeal of His Holiness Pope Benedict XV, on behalf of the famine-stricken regions of Russia, the Assembly of the League of Nations adopts the following Resolutions:—

1. The Assembly considers it an urgent necessity to combat the famine in Russia; it further considers that all efforts should be encouraged which, like the Geneva Conference, aim at alleviating this scourge.

The Assembly addresses a pressing appeal to private organisations in order that the efficacy of the common endeavour may be assured by a close co-ordination of all the efforts devoted to this cause.

The Assembly further expresses a desire that the Governments of all countries may interest themselves in the efforts of their national associations and should grant them, to the greatest possible extent, such material and moral support as they may need.

2. The Assembly considers that relief work should be extended to include all the regions of former Russia which are visited by famine, without forgetting the populations of the territories of the Republics of Armenia, Georgia and Azerbaidjan.

3. The Assembly has not sufficient information as to the influences by which the Soviet Government are moved or the conditions under which they are working, but it considers that Dr. Nansen's successful repatriation of prisoners of war augurs well for any enterprise he may be prepared to undertake for the relief of famine-stricken regions in Armenia, Azerbaidjan, Georgia and Russia.

4. In view of the statements made by members of the Committee on behalf of their Governments to the effect that these Governments do not think that under present circumstances they can grant official credits, the Assembly is of opinion that this fact settles for the time being this side of the matter, and disengages the possible responsibility of the League of Nations.

Nevertheless, the League does not disinterest itself in so grave a problem and in the efforts which are being made to solve it. It will rest with the Council of the League to take up the question, should circumstances so demand, and should it consider that its intervention could prove both useful and effective.

5. The Assembly notes that an International Conference has been summoned to meet at Brussels on 6th October in order to consider the problem of the famine raging in Russia, and the means of remedying it by the concerted action of Governments and private associations.

The Assembly expresses the hope that the authorised representatives of the Governments may consider the most expedient means of coping with the financial difficulties of this problem. Amongst the forms of relief which the Governments might afford, the Assembly would urge the importance of gifts in kind from the liquidation of war stocks.

6. The Assembly considers that the Committee of the League of Nations formed to combat epidemics should be invited to co-operate with the associations which have undertaken the campaign against infectious diseases in Russia and the Caucasus.

7. The President of the Assembly is requested to transmit to His Holiness Pope Benedict XV a copy of resolutions mentioned above in the hope that he may find therein a proof of the profound appreciation with which the League of Nations received the message in which His Holiness begged to draw the attention of the representatives of the Governments assembled in Geneva to the unhappy plight of the famine-stricken areas in Russia and the urgency of alleviating and rendering them assistance.

The Assembly takes this opportunity of expressing to His Holiness its warmest gratitude for so generous an action, which manifests once again the anxiety with which His Holiness ever proceeds in the alleviation of all suffering.

17. ADMISSION OF HUNGARY TO THE LEAGUE (30th September 1921).

The Assembly of the League of Nations, having noted a letter dated 26th September 1921, sent by the Head of the Hungarian Delegation in the name of his Government, and requesting the Assembly to be good enough to postpone its decision on the request for the admission of Hungary and all procedure relative thereto, to its next session, resolves to accede to this request and to place the question of the admission of Hungary into the League on the agenda of its next session.

18. ORGANISATION OF THE PERMANENT SECRETARIAT AND OF THE INTERNATIONAL LABOUR OFFICE (1st October 1921).

The Assembly, having taken note of the Report of the Fourth Committee, approves the views there set forth and expresses its gratitude to M. Noblemaire and his colleagues of the Committee of Experts for their arduous and most useful work (*see* Appendix III, Annex 4).

19. REDUCTION OF ARMAMENTS (1st October 1921).

The Assembly thanks Mr. Branting, Chairman of the Third Committee, and the Rapporteur, Lord Robert Cecil, for their valuable work. It is convinced of the urgent necessity of passing beyond the stage of the enunciation of principles and of proceeding to carry them into practical effect. The Assembly, therefore, approves the report and the following resolutions submitted by the Third Committee with reference to the reduction of armaments:—

1. That it is desirable that the Temporary Mixed Commission should be asked to continue the work which it has begun.

2. That the Temporary Mixed Commission be asked to make proposals on general lines for the reduction of national armaments which, in order to secure precision, should be in the form of a draft treaty or other equally definite plan, to be presented to the Council, if possible, before the Assembly next year.

In order to enable the Temporary Mixed Commission to accomplish this task, the Council should be asked to strengthen the Temporary Mixed Commission.

3. That a statistical investigation be made with regard to the armaments of the various countries upon the lines indicated in the body of the Report of the Third Committee.

4. That the Temporary Mixed Commission be requested to continue the examination of the question of the private manufacture of armaments and the trade in arms.

5. That the Council be requested to invite all the Members of the League and interested States which are not Members of the League to take part in an International Conference on the private manufacture of arms and the trade in arms, which should meet as soon as possible at a date to be fixed under the responsibility of the Council. It is considered highly desirable that this date should be prior to the next session of the Assembly.

The Temporary Mixed Commission should be entrusted with the task of preparing the programme of the Conference, and of submitting to it a draft Convention.

6. That the urgent importance of ratifying the Convention at the earliest possible moment be strongly impressed on all the States signatories to the Arms Traffic Convention of St. Germain, whether Members of the League of Nations or not, and that at the same time all non-signatory States be invited to adhere to the Convention.

The Assembly expresses its earnest desire that the importance of this subject may be strongly urged at the forthcoming Conference on Disarmament at Washington.

7. The Assembly, taking note of the view expressed in the Report of the Temporary Mixed Commission on the Reduction of Armaments with regard to the desirability of making provision for excluding the import of arms and ammunition in time of peace from countries in which the traffic is uncontrolled, invites the Council to prepare a draft protocol for this purpose for the consideration of the various Governments. At the same time it expresses the earnest hope that this procedure will not in any way be permitted to delay the general ratification of the Convention of St. Germain.

The steps that may eventually have to be taken for the destruction of the surplus stocks of munitions may be considered by the Temporary Mixed Commission.

8. That, subject to the conditions set out in the recommendation of the First Assembly, the recommendation that Members of the League should undertake not to exceed for the next two financial years following the present year the sum total of expenditure on military, naval and air forces provided for in the budget of that year, be again forwarded to all Members of the League, together with a statement showing the replies already received to this recommendation.

9. That the Temporary Mixed Commission be asked to examine—in consultation with the Permanent Advisory Commission—whether it is advisable to address an appeal to the scientific men of the world to publish their discoveries in poison gas and similar subjects, so as to minimise the likelihood of their being used in any future war.

10. That it is desirable that propaganda in favour of the reduction of armaments, as contemplated in the Covenant, should be carried out with earnestness and conviction among all nations.

11. In pursuance of the Third Resolution of the First Assembly, the Assembly is of opinion that the Secretariat should be asked to complete the organisation of the Section of the Secretariat dealing with the question of the reduction of armaments, and that this Section should have a directorship of its own, or other equivalent official organisation, quite separate from and, if necessary, in addition to, those already proposed by the Fourth Committee of the Assembly.

20. ALBANIA (3rd October 1921).

1. The Assembly, having considered the appeal of Albania to the Assembly, dated 29th June 1921, and the reference by the Council to the Assembly of the allegation by Albania against the Serb-Croat-Slovene State, dated 2nd September 1921:

Recognising the sovereignty and independence of Albania as established by her admission to the League:

Taking note of the fact that the Serb-Croat-Slovene State and Greece have recognised the Principal Allied and Associated Powers as the appropriate body to settle the frontiers of Albania:

Understanding that the Principal Allied and Associated Powers are very near agreement on the question submitted to them:

Recommends Albania now to accept the forthcoming decision of the Principal Allied and Associated Powers.

2. The Assembly, further, taking note of the allegations of Albania against nationals of the Serb-Croat-Slovene State and of the allegations of the Serb-Croat-Slovene State against certain tribes and individuals in Albania:

Taking note also of statements made that there is serious unrest in Southern Albania and Northern Epirus:

Requests the Council forthwith to appoint a Commission of three impartial persons, to proceed immediately to Albania and to report fully on the execution of the decision of the Principal Allied and Associated Powers, as soon as it is given, and on any disturbances which may occur on or near the frontier of Albania. The Commission should have power to appoint observers or other officials being impartial persons to enable it to discharge its functions.

3. In order to provide for the carrying out of the above decision, the Secretary-General is instructed to include the sum of 100,000 gold francs in the budget of the League for the fourth fiscal period (1922), it being understood, however, that, before any of the said appropriation be expended, a detailed estimate shall be submitted to the Council of the League and shall be approved by it.

21. FINANCIAL ADMINISTRATION OF THE LEAGUE (4th October 1921).

Recommendation I.

The Assembly of the League of Nations requests the Council to continue to regulate the finances of the League of Nations in the spirit of the principles contained in the Assembly Recommendation of 17th December 1920, as modified by the following Articles, and by the recommendations laid down in the Report of the Fourth Committee on the administration of the finances of the League of Nations.¹ Further, the Assembly requests the Council to prepare for the annual session of the Assembly of 1922, a final resolution regarding the administration of the finances of the League of Nations.

Article 1.—The Assembly recommends the Council to appoint a Committee of Control of three or five members, one of whom at least shall be a financial expert. The Council shall select the Committee from amongst the Members of the League of Nations, in such a way as to include Members of the League which are not represented on the Council.

Draft budgets and other documents contemplated in Articles 1 and 2 of the Recommendation adopted on 17th December 1920 shall be submitted to the Committee of Control before being submitted to the Council. The Draft Budget of the International Labour Organisation shall be laid before the Committee of Control by four members of the Governing Body, two of whom might be selected from the delegates of Governments, one from employers' delegates and one from the workers' delegates. The Governing Body shall decide whether the Director or Deputy Director of the International Labour Office shall be added to the Delegation.

A representative of the Governing Body shall be authorised to attend, in an advisory capacity, any meetings of the Assembly that deal with the Budget. It is, of course, understood that the representative in question cannot rise to speak except on the invitation of the President.

The Appropriation Officers, whether members of the Secretariat or of the International Labour Office, shall be responsible to the Committee of Control.

Article 2.—Article 6 of Recommendation II, adopted by the First Assembly on 17th December 1920, shall read as follows:—

“Expenditure can only be incurred by virtue of a warrant signed by the Secretary-General or one of his deputies duly authorised thereto. This warrant shall mention the fiscal period and the appropriation to which the expenditure is charged, and cannot be given until the official appointed for the purpose (Appropriation Officer) has certified that the proposed expenditure is represented in the Budget by a corresponding credit. Unforeseen expenditure, however, can only be incurred under Article 25 of the general budget for 1922 if it is authorised by a special Resolution of the Council, which must be immediately communicated to all the

¹See Appendix III (Annex 8).

Members of the League of Nations. During the year 1922 transfers from one item to another of the same chapter can be effected by virtue of a special Resolution of the Council, which must be immediately communicated to all the Members of the League of Nations."

Article 3.—The following sentence shall be added to Article 7 of Recommendation II, adopted by the First Assembly:—

"Additions to this fund, which may not exceed 5,000,000 gold francs, cannot be made except with the approval of the Assembly. If the fund exceeds 5,000,000 gold francs, the excess shall be carried forward to the credit of the next financial period. The International Labour Organisation may continue to obtain, if necessary, assistance from the Working Capital Fund proportionately to its budget."

Article 4.—Insert in Article 9, of Recommendation II, adopted by the First Assembly, after the word "auditors," "and to the Committee of Control."

Article 5.—Article 10 of Recommendation II, adopted by the First Assembly, shall read as follows:—

"Three months before the annual session of the Assembly, the Committee of Control and the auditors shall present to the Council, or in the case of the International Labour Organisation, to the Governing Body, a joint report on the correctness, etc."

Recommendation II.

The Resolution of the Council of 2nd September 1921, authorising the Secretary-General to request the States which are not Members of the League of Nations, but which form part of the technical organisations of the League, to pay their share of the expenses of the technical organisations in which they participate, from the beginning of the fourth financial year of the League (1922), should be incorporated in the final regulations of the financial administration of the League.

Resolution I.

In virtue of Article 12 of the Recommendation II of the First Assembly on the administration of the finances of the League of Nations, the Assembly of the League of Nations finally passes the expenditure and income accounts for the second fiscal period, terminating on 31st December 1920.

Resolution II.

The Assembly of the League of Nations, in accordance with Article 4 of Recommendation II, adopted by the First Assembly, on the administration of the finances of the League of Nations accepts for the fiscal period 1922 the General Budget of the League and the Budget of the International Labour Office, which will be published in the *Official Journal*.

22. THE ECONOMIC WEAPON (4th October 1921).

The Assembly adopts the following resolutions:—

1. Subject to the special provisions of Article 17, the economic measures referred to in Article 16 shall be applicable only in the specific case referred to in this Article.

2. The unilateral action of the defaulting State cannot create a state of war; it merely entitles the other Members of the League to resort to acts of war or to declare themselves in a state of war with the Covenant-breaking State; but it is in accordance with the spirit of the Covenant that the League of Nations should attempt, at least at the outset, to avoid war, and to restore peace by economic pressure.

3. It is the duty of each Member of the League to decide for itself whether a breach of the Covenant has been committed. The fulfilment of their duties under Article 16 is required from Members of the League by the express terms of the Covenant, and they cannot neglect them without breach of their Treaty obligations.

4. All cases of breach of Covenant under Article 16 shall be referred to the Council as a matter of urgency at the request of any Member of the League. Further, if a breach of Covenant be committed, or if there arise a danger of such breach being committed, the Secretary-General shall at once give notice thereof to all the Members of the Council. Upon receipt of such a request by a Member of the League, or of such a notice by the Secretary-General, the Council will meet as soon as possible. The Council shall summon representatives of the parties to the conflict and of all States which are neighbours of the defaulting State, or which normally maintain close economic relations with it, or whose co-operation would be especially valuable for the application of Article 16.

5. If the Council is of opinion that a State has been guilty of a breach of Covenant, the Minutes of the meeting at which that opinion is arrived at shall be immediately sent to all Members of the League, accompanied by a statement of reasons and by an invitation to take action according. The fullest publicity shall be given to this decision.

6. For the purpose of assisting it to enforce Article 16, the Council may, if it thinks fit, be assisted by a *technical* Committee. This Committee will remain in permanent session as soon as the action decided on is taken, and may include, if desirable, representatives of the States specially affected.

7. The Council should fix the date on which the enforcement of economic pressure under Article 16 is to be begun, and should give notice of that date to all the Members of the League.

8. All States must be treated alike as regards the application of the measures of economic pressure, with the following reservations :—

(a) It may be necessary to recommend the execution of special measures by certain States;

(b) If it is thought desirable to postpone, wholly or partially, in the case of certain States, the effective application of the economic sanctions laid down in Article 16, such postponement shall not be permitted except in so far as it is desirable for the success of the common plan of action, or reduces to a minimum the losses and embarrassments which may be entailed in the case of certain Members of the League by the application of the sanctions.

9. It is not possible to decide beforehand, and in detail, the various measures of an economic, commercial and financial nature to be taken in each case where economic pressure is to be applied.

When the case arises, the Council shall recommend to the Members of the League a plan for joint action.

10. The interruption of diplomatic relations shall, in the first place, be limited to the withdrawal of the heads of Missions.

11. Consular relations may possibly be maintained.

12. For the purposes of the severance of relations between persons belonging to the Covenant-breaking State and persons belonging to other States Members of the League, the test should be residence and not nationality.

13. In cases of prolonged application of economic pressure, measures of increasing stringency may be taken. The cutting off of the food supplies of the civil population of the defaulting State shall be regarded as an extremely drastic measure which shall only be applied if the other measures available are clearly inadequate.

14. Correspondence and all other methods of communication shall be subjected to special regulations.

15. Humanitarian relations shall be continued.

16. Efforts shall be made to arrive at arrangements which will ensure the co-operation of States non-members of the League in the measures to be taken.

17. In special circumstances and in support of economic measures to be taken it may become advisable : (a) to establish an effective blockade of the seaboard of the Covenant-breaking State ; (b) to entrust to some Members of the League the execution of the blockade operations.

18. The Council shall urge upon all the States Members of the League that their Governments should take the necessary preparatory measures, above all of a legislative character, to enable them to enforce at short notice the necessary measures of economic pressure.

II.

The Assembly resolves that :

1. The latter part of the first paragraph of Article 16 of the Covenant shall read as follows :—

“ . . . which hereby undertake immediately to subject it to the severance of all trade or financial relations, the prohibition of all intercourse between persons residing in their territory and persons residing in the territory of the Covenant-breaking State, and the prevention of all financial, commercial or personal intercourse between persons residing in the territory of the Covenant-breaking State and persons residing in the territory of any other State, whether a Member of the League or not.”

2. The second paragraph of Article 16 shall read as follows :—

“ It is for the Council to give an opinion whether or not a breach of the Covenant has taken place. In deliberations on this question in the Council, the votes of Members of the League alleged to have resorted to war and of Members against whom such action was directed shall not be counted.”

3. The third paragraph of Article 16 shall read as follows :—

“ The Council will notify to all Members of the League the date which it recommends for the application of the economic pressure under this Article.”

4. The fourth paragraph of Article 16 shall read as follows :—

“ Nevertheless, the Council may, in the case of particular Members, postpone the coming into force of any of these measures for a specified period where it is satisfied that such a postponement will facilitate the attainment of the object of the measures referred to in the preceding paragraph, or that it is necessary in order to minimise the loss and inconvenience which will be caused to such Members.”

III.

The resolutions and the proposals for amendments to Article 16 which have been adopted by the Assembly shall, so long as the amendments have not been put in force in the form required by the Covenant, constitute rules for guidance which the Assembly recommends, as a provisional measure, to the Council and to the Members of the League in connection with the application of Article 16.

23. CONDITIONS OF VOTING ON, AND RATIFICATION OF AMENDMENTS TO THE COVENANT (3rd October 1921).

1. *Recommendation.*—In order immediately to meet the objections expressed by certain Delegates with regard to the procedure permitting the Assembly to vote amendments by a majority, the Assembly recommends to the Delegations that no resolution of amendment shall be passed during this session unless it receives a three-fourths majority, in which there shall be included the votes of all the Members of the Council represented at the meeting.

2. *Procedure.*—The Assembly considers that it is most desirable that the vote on the proposed amendment to Article 26 shall be unanimous, in order that this vote may have all the authority that can be wished.

3. *Resolution of Amendment to Article 26.*—Article 26 of the Covenant shall read as follows :—

“ Amendments to the present Covenant, the text of which shall have been voted by the Assembly by a three-fourths majority, in which there shall be included the votes of all the Members of the Council represented at the meeting, will take effect when ratified by the Members of the League whose representatives composed the Council when the vote was taken, and by the majority of those whose representatives form the Assembly.

If the required number of ratifications shall not have been obtained within 22 months after the vote of the Assembly, the proposed amendment shall remain without effect.

The Secretary-General shall inform the Members of the taking effect of an amendment.

Any Member of the League which has not at that time ratified the amendment is free to notify the Secretary-General within a year of its refusal to accept it, but in that case it shall cease to be a Member of the League.”

Form to be given to the Resolutions on Amendments.

The following conclusions of the Committee were adopted unanimously without discussion :—

The First Committee has considered the form which should be given to resolutions of amendments adopted by the Assembly.

A large number of Members expressed the opinion that such resolutions in no way formed a draft convention, the product of a diplomatic conference, to which the representatives of the States would have to attach their signatures.

It seemed to them rather the outcome of deliberation on the part of the Assembly acting as an autonomous body in virtue of the competence conferred upon it by the Covenant.

According to this view, it is the Assembly's resolution which is subject to ratification by the States and not the signatures of their representatives. Moreover, the latter may not have voted in favour of the amendment ratified by the State which they represent. It would therefore seem sufficient that every resolution of amendment be drawn up in the form of an act by the Assembly, signed by the President and the Secretary-General.

But certain members of the Committee pointed out that such a procedure would violate the constitutional law of their States and would also conflict with diplomatic usage.

The Committee considered that, to avoid any difficulty on this point, it was desirable that the amendments should take the form of protocols, embodying the resolutions of amendment voted by the Assembly, signed by the President and the Secretary-General and also open to signature by plenipotentiaries. The Committee therefore proposes the form of protocol which is appended.

Draft Protocol to an Amendment.

Protocol to an Amendment to Article _____ of the Covenant.

The Second Assembly of the League of Nations, under the Presidency of M. H. A. van Karnebeek, assisted by Sir Eric Drummond, Secretary-General, adopted at its meeting of _____ the following resolution, being an amendment to Article _____ of the Covenant.

[Here follows the Resolution.]

The undersigned, being duly authorised, declare that they accept, on behalf of the Members of the League, which they represent, the above amendment.

The present protocol will remain open for signature by the Members of the League: it will be ratified and the ratifications will be deposited as soon as possible with the Secretariat of the League.

It will come into force in accordance with the provisions of Article 26 of the Covenant:

A certified copy of the present protocol will be transmitted by the Secretary-General to all Members of the League.

Done at Geneva, on _____ in a single copy, of which the French and English texts are both authentic and which will be kept in the archives of the Secretariat of the League.

(Signed) _____
President of the Second Assembly.
Secretary-General.

For _____

For _____

24. PROPOSED AMENDMENT OF ARTICLE 18 (5th October 1921).

The Assembly, taking note of the proposal for the amendment of Article 18 contained in the Report of the First Committee, decides to adjourn further consideration of this amendment until the Third Assembly.

25. PROPOSED AMENDMENT TO ARTICLE 1 OF THE COVENANT (5th October 1921).

The Assembly of the League of Nations, having noted the Amendment to Article 1 of the Covenant proposed by the Argentine Delegation on 4th December 1920: While appreciating the high motives which inspired the Argentine Republic in proposing this amendment:

Resolves that, in view of the regrettable absence of the Delegation of the Argentine Republic, and until the principle contained in its proposal can be accepted, any decision on the amendment moved by the Argentine Republic be postponed.

26. SITUATION OF SMALL STATES (5th October 1921).

The Assembly of the League of Nations, having considered the report of its First Committee which had been requested to consider whether, and in what manner, it would be possible to attach to the League of Nations sovereign States which, by reason of their small size, could not be admitted as ordinary members:

Decides that in view of the difficulty of laying down in advance the conditions for the admission of these States, the different situations of which might necessitate different conditions; and in view of the possibility of associating immediately, to a great extent, the interested States in the work of the Assembly, without giving them membership, it is preferable to await the results of experience in this collaboration, before expressing an opinion upon the methods by which they might be admitted to the League.

27. AMENDMENTS TO ARTICLES 12 AND 15 OF THE COVENANT PROPOSED BY THE NORWEGIAN AND SWEDISH GOVERNMENTS (5th October 1921).

The Assembly of the League of Nations, having noted the amendments to Articles 12 and 15 of the Covenant proposed by the Norwegian and Swedish Governments introducing an obligation for all the Members of the League to establish permanent commissions of arbitration and conciliation, in such a manner that there would be one for

each State, for the investigation of disputes between that Member and each of the other Members :

Decides :

(1) Not to adopt the amendments to Articles 12 and 15 proposed by the Norwegian and Swedish Governments.

(2) To express its approval of the procedure of conciliation in conformity with the spirit of the Covenant.

(3) To invite the Council to appoint a Committee for the purpose of investigating the procedure of conciliation as outlined in the amendments put forward by the Norwegian and Swedish Governments, with a view to the formulation of a body of rules on the subject. That Committee would submit its report to the Council at a date which would enable the latter to present its conclusions at the next session of the Assembly.

28. PROPOSALS REGARDING ARTICLE 21 OF THE COVENANT (4th October 1921).

The Assembly of the League of Nations, having taken into consideration the report of its First Committee on the amendments to Article 21 of the Covenant proposed by the Governments of China and Czecho-Slovakia :

Decides that Article 21 shall be retained in its present form. And takes note of the view expressed by the Committee that agreements between Members of the League tending to define or complete the engagements contained in the Covenant for the maintenance of peace or the promotion of international co-operation, may be regarded as of a nature likely to contribute to the progress of the League in the path of practical realisations.

Such agreements may also be negotiated under the auspices of the League of Nations, for example, in special conferences, with its assistance.

29. PROPOSAL REGARDING ARTICLE 10 OF THE COVENANT (4th October 1921).

Whereas a motion has been submitted by the Canadian Delegation for the striking out of Article 10 of the Covenant :

Whereas widely different opinions have been expressed with regard to the legal bearing of this Article and its relationship to the other Articles of the Covenant, specially to Articles 12 to 17 :

And whereas the legal and political arguments made, both in favour of, and against the striking out of Article 10 are of great weight :

The Assembly postpones the continuation of the examination of the proposal and the decision until its next session, and recommends that this proposal be decided before any other amendment.

30. ALLOCATION OF EXPENSES OF THE LEAGUE (5th October 1921).

I.—Resolutions of amendments to Article 6 of the Covenant.

The Assembly resolves :—

“(1) That the last paragraph of Article 6 of the Covenant shall be replaced by the following paragraph :—

“The expenses of the League shall be borne by the Members of the League in the proportion decided by the Assembly.”

“(2) That the following paragraph shall be added to Article 6 of the Covenant as amended :—

“The allocation of the expenses of the League set out on Annex 3 shall be applied as from 1st January 1922, until a revised allocation has come into force after adoption by the Assembly.”

“(3) That the following shall be inserted in the Annex to the Covenant :—

III.—Allocation of the Expenses of the League.

State.	Units Payable.	State.	Units Payable.	State.	Units Payable.	State.	Units Payable.
Albania	2	Costa Rica	2	Japan	65	Poland	15
Argentina	35	Cuba	10	Latvia	5	Portugal	10
Australia	15	Czecho-Slovakia	35	Liberia	2	Salvador	2
Austria	2	Denmark	10	Lithuania	5	Roumania	35
Belgium	15	Estonia	5	Luxemburg	2	Serb-Croat-Slovene	35
Belivia	5	Finland	5	Netherlands	15	State.	
Brazil	35	France	90	New Zealand	10	Siam	10
British Empire	90	Greece	10	Nicaragua	2	South Africa	15
Bulgaria	10	Guatemala	2	Norway	10	Spain	35
Canada	35	Haiti	5	Panama	2	Sweden	15
Chile	15	Honduras	2	Paraguay	2	Switzerland	10
China	65	India	65	Peru	10	Uruguay	10
Colombia	10	Italy	65	Persia,	10	Venezuela	5

II.—*Recommendation 1.*

“The Assembly recommends that, when a revised scheme of allocation of the expenses of the League has been adopted after consideration of the fresh recommendations of the Expert Committee, Members of the League which may, with effect from 1st January 1921, and up to the year for which the revised scheme is adopted, have paid more than they are called upon to pay under the operation of such scheme, should be entitled to a refund of the excess amount paid.

“Such refunds shall be made as surplus funds accrue and without prejudice to the maintenance of the working capital account of the League at its full normal figure.”

Recommendation 2.

The Assembly, recognising that the proposals of the Expert Committee (A. 40, 1921) are still susceptible of improvements and adjustments after a more exhaustive investigation of the data, recommends that this Committee, so ably presided over by M. Reveillaud, be re-appointed by the Council to continue its work and, after taking account of the various factors not yet fully examined, to submit a further report indicating such modifications of the allocation provisionally accepted as it may deem equitable.

III.—*Resolution.*

In order to provide for the carrying out of the above decision, the Secretary-General is instructed to include the sum of 15,000 gold francs in the Budget of the League for the fourth fiscal period (1922), it being understood, however, that, before any of the said appropriation be expended, a detailed estimate shall be submitted to the Council of the League and shall be approved by it.

IV.—*Recommendation.*

The Assembly recommends the Council to see that the Committee charged with preparing a final scheme for the allocation of expenses shall present this table to the Assembly of 1923.

V.—*Resolution.*

The Assembly resolves that the following paragraph shall be added to Article IV of the Rules of Procedure of the Assembly :—

“No proposal for a modification of the allocation of expenses for the time being in force shall be inserted in the Agenda, unless it has been communicated to members at least four months before the date fixed for the opening of the session.”

31. AMENDMENT TO THE RULES OF PROCEDURE (5th October 1921).

The Assembly resolves—

That the following provision shall be added to the second paragraph of Rule 14 of the Rules of Procedure of the Assembly :—

“Resolutions involving expenditure shall not, however, be voted by the Assembly before the Financial Committee has expressed its opinion on the advisability of the proposed expenditure with regard to general budgetary resources.”

32. ELECTION OF THE NON-PERMANENT MEMBERS OF THE COUNCIL (6th October 1921).

1. The Assembly takes note of the conclusions of its First Committee :—

(a) That the non-permanent Members of the Council should in future be elected according to a system of rotation for a fixed period, and that the Assembly should this year renew for the year 1922 the appointment of the present Members.

(b) That, in the absence of any decision with regard to the number of the non-permanent members of the Council, it is inexpedient to lay down precise rulings, in consideration of the fact that at the election held next year account will be taken, both as regards the determination of the entire period of office for each member, and as regards the conditions of re-eligibility, of the period already spent in office as the result of previous elections.

II.—*Resolution of Amendment to Article 4.*

The Assembly resolves that the following paragraph shall be inserted between the second and third paragraphs of Article 4 :—

“The Assembly shall fix by a two-thirds majority the rules dealing with the election of the non-permanent Members of the Council, and particularly such regulations as relate to their term of office and the conditions of re-eligibility.”

33. COMMITTEE ON AMENDMENTS TO THE COVENANT (5th October 1921).

The Assembly, highly appreciating the work of the Committee on Amendments, which, under the able chairmanship of Mr. Balfour, has done the preparatory work for the proceedings of the First Committee, agrees that the Council can further refer to the consideration of this Committee the draft amendments which have been adjourned, also the proposed amendments which may be submitted to the next Assembly.

34. PROPOSED AMENDMENTS TO ARTICLE 3 OF THE COVENANT (4th October 1921).

The Assembly takes note that, in view of the considerations brought forward in the report of the Committee on Amendments and in the report of the First Committee of the Assembly, the Danish, Norwegian and Swedish Governments withdraw their proposed amendments to Article 3 of the Covenant.

35. PROPOSED AMENDMENTS TO ARTICLE 13 OF THE COVENANT (4th October 1921).

The Assembly, having considered the report of its First Committee on the amendments to Article 13 of the Covenant proposed by the Danish, Norwegian and Swedish Governments, decides that these amendments be not adopted.

36. ARTICLE 5 OF THE COVENANT. DEROGATIONS FROM THE PRINCIPLE OF UNANIMITY (5th October 1921).

The Assembly adopts the report of its First Committee on the amendments to Article 5 of the Covenant proposed by the Colombian and Netherlands Governments, and takes note that the Colombian and Netherlands Governments withdraw these proposed amendments.

37. HEALTH ORGANISATION (23rd September 1921).

The Assembly notes the measures taken by the Council to carry out so far as possible the Resolution of the first Assembly dated 10th December 1920, concerning the Health Organisation of the League of Nations.

In pursuance of the Covenant of the League of Nations and in order to facilitate the discharge by the League of the humanitarian duties and responsibilities which are placed upon it by the various treaties of peace and its own Resolutions, and pending the possibility of creating the Health Organisation contemplated by the Resolution of 10th December 1920, the Assembly of the League of Nations adopts in the following form the resolutions submitted to it by the Council:—

1. The Health Organisation of the League shall provisionally comprise a Health Committee which shall be entrusted with the functions detailed in the report of the Provisional Health Committee as adopted by the Council. The Secretariat of this Organisation shall be appointed by the Secretary-General of the League and be responsible to him, and shall be placed under a Medical Director.

The Assembly, in view of the urgency of the present international health situation, and, subject to consideration of a report to be submitted at the next session of the Assembly, accepts the constitution of the Provisional Health Committee proposed by the Council. But this decision is without prejudice to the power of the Assembly, admitted last year, to regulate the constitution of important Standing Committees of the League.

In view of the increasing importance of questions of health which more especially concern women, the Assembly invites the Council to take into consideration at an opportune moment the question of strengthening the Committee by including a medical woman, experienced in public health matters, qualified to advise on such questions.

2. The Epidemic Commission of the League of Nations shall form one section of the Health Organisation.

38. AMENDMENT TO ARTICLE 12 OF THE COVENANT (4th October 1921).

The Assembly resolves that Article 12 of the Covenant shall be amended to read as follows:—

“Article 12.—The members of the League agree that, if there should arise between them any dispute likely to lead to a rupture, they will submit the matter either to arbitration or judicial settlement or to enquiry by the Council, and they agree in no case to resort to war until three months after the award by the arbitrators or the judicial decision, or the report by the Council.

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

39. AMENDMENT TO ARTICLE 13 OF THE COVENANT (4th October 1921).

The Assembly resolves that Article 13 of the Covenant shall be amended to read as follows:—

“The Members of the League agree that, whenever any dispute shall arise between them which they recognise to be suitable for submission to arbitration *or judicial settlement*, and which cannot be satisfactorily settled by diplomacy, they will submit the whole subject-matter to arbitration *or judicial settlement*.”

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

“For the consideration of any such dispute, the court to which the case is referred shall be the Permanent Court of International Justice, established in accordance with Article 14, or any tribunal agreed on by the parties to the dispute or stipulated in any convention existing between them.”

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

40. AMENDMENT TO ARTICLE 15 OF THE COVENANT (4th October 1921).

The Assembly resolves that the first paragraph of Article 15 of the Covenant shall be amended to read as follows:—

“If there should arise between Members of the League any dispute likely to lead to a rupture, which is not submitted to arbitration *or judicial settlement* in accordance with Article 13, the Members of the League agree that they will submit the matter to the Council. Any party to the dispute may effect such submission by giving notice of the existence of the dispute to the Secretary-General, who will make all necessary arrangements for a full investigation and consideration thereof.”

41. GREATER PUBLICITY FOR THE PROCEEDINGS OF THE COUNCIL (16th September 1921).

The Assembly welcomes the efforts which the Council has made to secure greater publicity for its proceedings, and hopes that still further progress in that direction may be possible in the near future.

42. ESPERANTO AS AN INTERNATIONAL LANGUAGE (15th September 1921).

The Assembly, having noted a motion submitted by Lord Robert Cecil and signed by certain other delegates recommending the universal teaching of Esperanto in schools as an auxiliary international language;

Adopts the report of the Committee appointed to examine the propositions submitted to the Assembly, the conclusions of which are as follows:—

“The Committee are of opinion that this question, in which an ever increasing number of great States are interested, should be attentively studied before it can be dealt with by the Assembly. The question was referred to a Committee last year and a short report was submitted recommending that the Secretariat of the League should investigate the experiments already made, and ascertain the actual results attained.

“The Committee proposes that the question should be placed on the Agenda of the next Assembly and that the Secretariat of the League should in the meantime prepare a complete report, accompanied by the necessary documentation on the lines indicated in the draft resolution.

“In accordance with the wishes of the signatories, the report of Committee No. 2, dated 17th December 1920, and the report of the Under Secretary-General upon his mission to the Congress at Prague, will be transmitted to the Members of the League in due course.”

APPENDIX III.

Reports of Committees of the Assembly and other connected Documents.

ANNEX 1.—*Report to the Council on certain aspects of the Raw Materials Problem by the Economic Section of the Provisional Economic and Financial Committee. (Communicated to the Assembly in accordance with the Council's Resolution dated the 21st September 1921.)*

By Resolution of the Council, dated 27th October 1920, the Economic Section of the Economic and Financial Committee were directed to make an enquiry and report, the nature and scope of which were defined by the Resolution in the following terms:—

“The Council has fully considered the difficulties experienced by numerous countries in assuring the import of raw materials essential to their welfare and even to their existence, and has requested the Economic Section of the Economic and Financial Committee to study:—

“(a) The extent and nature of these requirements;

“(b) The causes of these difficulties (other than those arising from lack of credit or fluctuation in the rate of exchange, which have already been considered by the Brussels Financial Conference); the effects of the existence of monopolies will be very specially considered.

“The Council invites the Committee to submit to it at the earliest possible moment a report on the results of its enquiry, a report which is indispensable for the further deliberations of the International Economic and Financial Conference.”

The Economic Section at once endeavoured to obtain from the Governments of the various States, Members of the League, and also from certain important non-Members, the necessary data to enable them to furnish a report of the nature desired by the Council. In particular we sought information as to the existing and pre-war statistical position as regards certain specified raw materials and the estimated requirements of each country with regard to each of these materials during the ensuing year. We also made specific enquiries as to the effect of monopolies in causing difficulties of supply, and also as to the legislative régime prevailing in each of the countries with respect to restrictions on export and import, and the powers, if any, possessed by the various Governments or Courts of Justice to restrain abuses arising from monopolistic action. Such replies as have been received to these enquiries have been carefully examined, and the results so obtained have been supplemented by a mass of valuable material furnished to us by the Secretariat based partly on an examination of documents the collection of which it had entrusted to experts, and partly on personal investigation carried out in certain countries. These supplementary enquiries were carried out by Professor Gini, and the Economic Section desire to express their great indebtedness to Professor Gini and his collaborators for the very valuable assistance which they have given to them in the prosecution of their enquiry.*

The Economic Section interpret the intention of the Council to be that their enquiry should refer primarily to the abnormal conditions prevalent at or about the time when the Council's Resolution was passed. It is obvious that a detailed economic investigation of the requirements of all countries in respect of raw materials and of the factors which might cause difficulties in the supply or demand of such materials under every conceivable condition would be a task of enormous magnitude, which would occupy much time and which could lead to no immediate practical result.

We have, therefore, in the first place endeavoured to ascertain the position at the beginning of 1921. It is, however, matter of common knowledge that since that date the whole economic situation of the world has been revolutionised. Putting aside difficulties of credit and exchange, which are expressly excluded from our reference, the outstanding factor as regards raw materials is no longer the difficulty experienced by consuming countries in securing supplies, but the difficulty experienced by producing countries in finding outlets for their products.

The deficiency of supplies, which was the dominant feature of the period when the régime of control and restrictions prevailed, was followed by a deficiency of demand at the time when that régime came to an end. The return of freedom has, in fact, contributed to the fall of prices, which, in the case of several important raw materials, have returned to the level of the prices of 1914, expressed in dollars. Moreover, congestion of markets with products manufactured at too high a cost, and the collapse of consumption owing to these excessive prices and the general financial crisis, has caused producers to reduce their output at the very time when the supply and prices of raw materials have themselves tended to return to the normal. Thus a picture based on the situation at the beginning of the present year has no longer any resemblance to the situation with which the world is at present

* The portions of Professor Gini's general report which relate to the matters discussed in the present Report, together with the statistical statements on cotton, wool, coal, fertilisers, etc., prepared under Professor Gini's direction, will be published at an early date.

confronted, and, indeed, the interval between the sending out of our questionnaires and the receipt of the replies has been sufficient in many cases to make the results obsolete before they have been received.

In fact, though our investigation has been conducted as expeditiously as practicable, events have moved even faster than our enquiries, with the result that much of the material collected has lost its significance except for the purpose of an historical survey.

The rapid changes in the economic situation to which we have called attention have been partly responsible for the fact that we have been unable to obtain any authoritative estimates of the immediate requirements of the various States as regards essential raw materials. At a time when production has generally slackened, and is carried on with continual variations caused by the fluctuations in the market prices of raw materials, and the irregular demand due to the continual diminution and hesitating character of consumption, most official statisticians would be unwilling to hazard a conjecture on this subject, and, in fact, no reply has been forthcoming to the questions we have asked with a view to enabling us to fulfil paragraph (a) of our reference. Neither the enquiries conducted by the Economic Section, nor those which were entrusted to Professor Gini, have succeeded, owing to the prevailing conditions, in obtaining the data necessary to fill the blanks. On the other hand, no indication has been obtained of the existence, in any country about which we have obtained precise information, of an urgent need of raw materials which is in danger of remaining unsatisfied, at least through any deficiency of products. If, on the one hand, no State has been able to define by a figure its immediate wants, no State, on the other hand, has informed us that it has experienced any difficulties in supplying itself with any product owing to its scarcity. The statistical measurement of requirements being therefore impracticable under existing conditions, and no demand having been formulated for meeting those requirements, our task has consisted in collecting a mass of interesting statistical data, with regard to the pre-war, war, and post-war situation as regards the production, consumption, import and export of certain typical raw materials, including cotton, wool, coal, iron, mineral oil, fertilisers and cereals. But it is our duty to state clearly that no study of these data will in existing circumstances enable a reply to be furnished to paragraph (a) of our Reference.

Turning to paragraph (b) of our Reference, the first point to which we would direct attention is its limitation. We do not in any way complain of the reservation of questions of credit and exchange, which, as stated in the Council's resolution, had already been dealt with by the Brussels Financial Conference, and with which, if any second investigation were thought necessary, the Financial rather than the Economic Section of the Committee would be fitted to deal. But it is necessary to point out that, according to all the information which has reached us, any difficulties still experienced at the present time in obtaining supplies of essential materials are to a preponderant extent difficulties of credit and exchange.

In these circumstances we have considered carefully how we could best give practical assistance to the Council in attaining the objects at which it aimed when it entrusted us with the present enquiry. We conceive that these objects were practical rather than theoretic or historical, that they looked to the future rather than to the past, and that the aim was to promote the rehabilitation of countries suffering from the effects of the war rather than to institute a kind of litigation between States or to pass judgments on the motives and results of the respective policies adopted by them under stress of war and post-war conditions.

Some general acquaintance with what has taken place in the past is of course necessary for the purpose of throwing light on what may possibly recur in the future, but it has seemed to us unnecessary and inexpedient to adopt a course of enquiry which would have necessitated calling and sifting the evidence of numerous witnesses representing Governments and official and private organisations and persons, which, while unduly prolonging our enquiry and increasing its expense, could, we think, yield no fruitful result.

As a necessary consequence of this decision, we refrain in this report and in any supplementary memoranda which we may publish from expressing any but the most general opinions on the character of the war and post-war measures adopted by various countries.

Broadly speaking, the difficulties which were noted last year and which led to the Council's resolution were the result on the one hand of a real scarcity, general or local, in the supplies of raw materials as well as of a breakdown, no less real, in the transport system, and on the other hand, of a number of war or post-war measures tending to reserve certain raw materials wholly or in part to the countries of production, and also to limit and regulate their exportation so that their distribution was often artificial and their prices were usually abnormal. Whether owing to a deficiency of certain raw materials or to a legitimate apprehension that such a deficiency would arise, most producing and even consuming States created an artificial system as regards the quantities reserved or available for export, and even in certain cases as regards the internal and external prices. This was the régime which characterised the situation which the Council had to meet.

The sudden interruption of this artificial system, or the continued maintenance of certain hindrances, in spite of the market having been freed as regards the bulk of products, must be included among the important factors which still prejudice the supply of raw materials.

It must, however, be observed that the branches of the problem which the Council has excluded from our consideration, *viz.*, difficulties of credit and exchange, still remain unsolved. Difficulties of credit are at bottom symptoms and results of the devastating effects of the war in reducing the purchasing capacity and impairing the economic position of certain States. Difficulties of exchange may, however, be regarded as an independent cause of difficulty, since they spring primarily not from under-production of goods but from over-production of currency. The above brief statement of the nature of the disease appears to point to the general nature of the remedies to be considered.

(1) In the first place, it is true now as at the date when the present enquiry was launched that although the symptoms of the disease are different, the fundamental remedy is the systematic readjustment of production to meet post-war conditions. The exaggerated demand for certain raw materials and half-manufactured products during the war created a certain disproportion between production and actual requirements. Constant and scientific observation is therefore necessary in order to adjust the production of raw materials to the future requirements of the world, when the industries artificially created during the war have been subjected to the operation of natural selection and when consumption has returned to the normal. So much has been said and written on this subject that we do not feel that we can usefully add anything new, especially as important aspects of the problem (*e.g.*, limitation of hours or output) belong rather to the sphere of the International Labour Office than of our Committee.

(2) Only second in importance to the above is the restoration and improvement of transport facilities. In order to ensure the adequate supply of each country it is clearly necessary that the materials should not only be produced in adequate quantities at a reasonable cost, but that there should be sufficient means of transporting them without unreasonable delay or cost to the markets where they are required. In this respect the situation has greatly changed since the enquiry was undertaken. Maritime transport is no longer hindered by scarcity or congestion of shipping; indeed, the position has so changed that large quantities of shipping are laid up for want of goods to carry. Simultaneously (as we understand from the Transit and Communications Section, to which the subject appertains) there has been a considerable though much slower improvement as regards transport over those parts of the European railway system which were disorganised by the war. We do not propose in this report to give a detailed description of the European transport situation, parts of which were so grievously affected not only by the material destruction of the war, but also by the difficulties of allocation and repair of rolling-stock, and by the dismemberment of railway systems formerly worked as single units owing to the territorial changes under the Peace Treaties.

We wish, however, to express an earnest hope that every effort will be made to overcome the difficulties experienced by the various Commissions charged with such matters as the re-allocation and interchange of rolling-stock. We note that special provision is made in the constitution of the Technical Organisation of the League of Nations dealing with Communications and Transit for the calling of partial or regional Conferences to consider special matters. We venture to suggest to the Council that the Advisory and Technical Committee on Communications and Transit might be authorised to consider the desirability of the League taking the initiative at an appropriate moment, under the above provision, to promote the improvement of the facilities for intercommunication and transport between States whose transport systems have specially suffered from disorganisation.

(3) We next turn to the question of commercial restrictions as a factor in creating difficulties of supply of raw materials. We refer in particular to the restrictions or duties on the export of essential raw materials which formed an important feature of war policy, and which in many cases were continued during the period immediately following the armistice. These restrictions were of a kind which varied according to the countries and circumstances. We may summarise their development as follows. In the course of the war, in order to secure for themselves priority as regards their own resources or in some cases even to ensure their just distribution in accordance with the general interest at the time, certain countries took possession of all or part of their output of one or more raw materials. The forms which this reservation took were sometimes requisition, sometimes prohibition of export. The methods of allocation were either a system of licensing or of rationing. Whatever was the method adopted, the reservation thus effected exercised an influence on the price of the product. The exportable surplus, whether it was free for export or subject to a general or individual licence, represented a supply limited in relation to the actual demand. Sometimes, also, an export duty or differential export price increased the difference between the price prevailing in the producing country and the price to the foreign consumer. Sometimes, indeed, it was the foreign purchaser on whom fell the cost of the constitution of the reserve for the producing country, and the payment of an export premium. It is conceivable that measures of reservation justified in general by the needs or by the anxiety to secure supplies adequate to the needs of the producing country may have sometimes been transformed into fiscal measures or into measures of economic discrimination.

The artificial régime thus established could not in some cases be suddenly abandoned without intermediate stages intended for the progressive re-establishment of normal conditions. Until production resumed its normal condition the disposal of stocks was assured by forward sales at decreasing prices. But this artificial system has sometimes been as inconvenient as the sudden return to freedom.

Recent developments of raw materials policy have some lessons for the future.

There is no question of challenging the incontestable right which States have to dispose freely of their natural resources or of the output of their countries in respect of raw materials. It is legitimate that in exceptional circumstances they should be anxious to reserve them to themselves, and that they should have the power to subject them at any time to a régime in conformity with their natural economy.

But it is not less incontestable that raw materials produced by one country, being in many cases essential to the economic life of other States, should not, unless in exceptional cases, be the object of restrictions or of differential regulations of such a nature as to injure the production of such States, or to impose on them a systematic inferiority.

It is undesirable, particularly, that measures of restriction taken by producing countries to meet exceptional situations should be so prolonged or altered as to change their character, and from being acts of precaution or defence to degenerate into measures of economic aggression.

Doubtless as a general principle the tariff policy of States is one of their sovereign rights, and there are no doubt circumstances in which export duties or other restrictions may be necessary, *e.g.*, in cases where other sources of revenue are lacking, or where they are an indispensable element in the economic system. Nevertheless, it is undesirable as a matter of principle to employ measures of this kind under normal conditions as weapons of economic warfare.

This consideration is of importance since, in accordance with the law of economic interdependence, measures of differentiation produce reactions throughout the raw-materials market; measures of reservation taken by a producing country influence the demand on other producing countries where the normal conditions of supply and of prices are equally affected.

What we wish to do, without attempting to lay down any hard and fast rule, is to recommend caution in this matter, and in particular to invite the attention of the Members of the League to the broader aspects of the question as affecting international economic relations. It is not only measures of restriction or prohibition, including duties on export, which may entail grave consequences in this matter, but every artificial system which involves the risk of disorganising production, whether by its establishment or by its abolition.

(4) The effect of monopolies was particularly specified in our reference as a subject for enquiry, and accordingly in our questionnaire we specially invited the observations of each Government "with regard to the prejudice, if any, caused at the present time to the supply of the reasonable requirements of the population in respect of any essential commodity by the operation of any monopoly or combination relating to manufacture, sale, import, or export, either within or outside the country."

None of the replies received, however, included any observations in reply to this question, and the supplementary enquiries that have been made have not so far produced sufficient evidence to enable us to establish any direct connection between the operations of monopolies, and any of the difficulties of supply of raw materials which we were directed to investigate. In view, however, of the great importance of this branch of the subject, we propose to make further enquiries, particularly with the object of completing our information with regard to the legal and administrative means already available in each country for combating and controlling the action of monopolies when exercised in a manner contrary to the public interest. We hope to make a further report to the Council on this part of the subject.

(5) We have not hitherto made any mention of a scheme for the organisation of the supply of raw materials by means of an International Office, which has attracted considerable public attention, though it was not mentioned in our terms of reference, nor has any definite proposal for the purpose been submitted to us for examination. We have, however, had our attention called to the matter by a communication from the International Labour Office, enclosing a resolution adopted by the Miners' International Congress in March 1920, in favour of the establishment of an International Office "for the distribution of fuel, ores, and other raw materials essential to the renewal of the normal economic life of all nations."

While realising strongly the difficulties which the scheme is intended to solve, we are convinced that it is impracticable on the following grounds:—

(a) It would, in our opinion, be impracticable to obtain the general consent of the producing and consuming States to delegate the important functions contemplated by the scheme to an International body, and the League of Nations has no power of compelling its Members to enter into any such arrangement against their will.

(b) No scheme for the international control of the distribution of raw materials could be operated without fixing prices and allocating supplies on some principle of rationing. In our opinion, this necessarily involves the international control of the whole internal economic life of the countries concerned.

(c) No scheme of rationing is possible without the power of compelling the consuming countries to take up their rations and to pay for them, which is clearly impracticable under present conditions.

(d) There is no criterion by which an International Office could fix a reasonable ration of any raw material to be allowed to any country, except either on the basis of previous consumption (which would stereotype the existing distribution of industry) or on some arbitrary estimate of needs; which would empower the International Office to dictate the lines of future industrial development of all the States of the League.

(e) If all the above objections could be overcome the mere loss to productive industry from the inevitable inefficient operation of the bureaucratic machinery of the International Office would probably be fatal to the scheme.

(6) The next group of possible remedies, *viz.*, those designed to improve international credit and to rehabilitate exchanges, are expressly excluded from our reference, and the only point, therefore to which we venture to call attention in this connection is the possibility which has been suggested to us by Professor Gini as the result of his visit to certain countries whose finances have been disorganised by the war, that great assistance might be given by the League of Nations in the work of reconstructing the financial and economic position of those countries, if the Council were willing on the application of the Governments of such countries to nominate competent expert advisers, who could advise the Governments on such matters as currency, exchange, and financial and economic policy generally. The Economic Section, while alive to the practical difficulties involved in such a proposal, consider that it is one which merits the careful attention of the Council.

It would be necessary, of course, to take great care in the selection of the advisers, and to come to an understanding with the Government in question as to the conditions of their engagement. It will probably be found that the extent and value of the services which an adviser will be able to render will depend mainly on his personality, but it is essential to safeguard his position and independence by a suitable contract. It has been represented to us that some countries which would be unwilling, on grounds of prestige, to apply for advisers to particular Governments, may be willing and anxious to utilise the services of an international and impartial body like the League of Nations for this purpose, and in view of the fact that the financial administration of certain States is, at the present very critical time, in the hands of relatively inexperienced officers, we venture to think that an experiment in the direction indicated may be fruitful in good results. We may add that we do not propose that the League should incur any financial or other responsibility beyond the careful selection of the nominees. Should the Council see no objection to this proposal in principle, we suggest that it should be remitted to the Financial Section of our Committee to work out a detailed scheme. If in the meantime, as is possible, any definite application should be received by the Council for the nomination of a technical adviser for any of the States in question, we recommend that it should be sympathetically considered.

ANNEX 2.—*Report of the Third Committee to the Assembly concerning the Reduction of Armaments.*

The question of reduction of armaments was considered at the First Assembly, and it arrived at three resolutions and one recommendation on the subject. The third resolution, which was in some respects the most important, ran as follows:—

“The Committee, being convinced that the maintenance of peace demands the reduction of armaments, in accordance with the principles set forth in Article 8 of the Covenant and in the preamble of Part V of the Treaties of Peace of Versailles, Saint-Germain, and Neuilly, which declare that the disarmament of certain Powers signatory to those Treaties be provided for ‘in order to render possible the initiation of a general limitation of the armaments of all nations’;

“And associating itself with the pronouncement of the Supreme Council on 8th March last ‘that, in order to diminish the economic difficulties of Europe, armies should everywhere be reduced to a peace footing, that armaments should be limited to the lowest possible figure compatible with national security, and that the League of Nations be invited to examine proposals to that end without delay’;

“And with the Resolution of the International Financial Conference at Brussels, ‘recommending most earnestly to the Council of the League of Nations the desirability of conferring at once, and agreeing with, the several Governments concerned, with a view to securing a general reduction of the crushing burdens which, on their existing scale, armaments still impose on the impoverished peoples of the world, sapping their resources and imperilling their recovery from the ravages of war’;

“Realising, on the other hand, that a complete and comprehensive scheme of disarmament depends upon the following conditions: first, under the responsibility of the Powers signatory to the Treaties of Peace, upon the complete fulfilment of the reduction of armaments imposed by the abovementioned Treaties upon certain of these Powers: secondly, upon the exercise, as occasion may demand, of the right of investigation accorded by these Treaties to the Council of the League of Nations, in order to maintain this reduction; and, lastly, on the collaboration of the other great military Powers which have hitherto remained outside the League;

" Invite the Council :—

- " (a) To request the Permanent Advisory Commission for Military, Naval, and Air Questions rapidly to complete its technical examination into the present condition of armaments ;
- " (b) To instruct a temporary Commission, composed of persons possessing the requisite competence in matters of a political, social and economic nature, to prepare for submission to the Council in the near future reports and proposals for the reduction of armaments as provided for by Article 8 of the Covenant ;
- " (c) To form within the Secretariat a section to serve as a centre of information for the Commission in question, and also as a channel for the publication and exchange of the information referred to in the Covenant ;
- " (d) To consider the mechanism by means of which the military information to be exchanged under the provisions of Article 8 of the Covenant can be verified in the event of the principle of mutual verification by Members of the League being confirmed by an amendment to the Covenant."

The action taken by the Council in pursuance of the definite proposals here made will be found in the report to the Second Assembly on the work of the Council at pages 75 to 81. It will be noticed that as to proposal (a) no practical result has been achieved. The Permanent Advisory Commission drew up a questionnaire on the subject, but the Council decided it was not desirable to send it out. It is now proposed that the matter should, to some extent, be dealt with in a different way. As to proposal (b) a good deal has been done. The Temporary Commission has been appointed as set out on pages 74 and 75 of the above-mentioned report. Unfortunately, owing to reasons into which it is not necessary now to enter, the Temporary Commission did not meet until 16th July of this year, and has consequently only been able to hold some five meetings, which has necessarily restricted the work it has been able to do. Still, even so, there is much that is valuable in its report. An examination of that document will show that the Commission has made certain recommendations which have been examined by this Committee, and they have dealt with them under the following heads :—

I—Statistics.

The Committee took note of the resolution adopted by the First Assembly in accordance with which the Assembly, while recognising that the *final and general limitation* of armaments is subordinate to certain preliminary conditions, expressed the wish that the first steps towards disarmament should be taken without delay.

One of the preliminary conditions is the ascertainment of the present military strength of the various States, and, consequently, it is necessary to carry out a statistical investigation which would bring into clear relief the ante-bellum and the present position of armaments. To this should be added such information of a military and budgetary nature as will allow of an accurate estimate being formed of the military power of the various States and of the measures which they may have already adopted for the reduction of their armaments. Nor must the position of each State from the point of view of its national security be overlooked.

The Committee therefore proposes :—

- (a) That a statistical investigation should be carried out with regard to the armaments of the various countries for the years 1913 and 1921. The enquiry should bring out the facts indicated in the programme drawn up by the Temporary Mixed Commission in pages 7 and 8 of its report to the Council.
- (b) That with regard to the method to be followed, a beginning should be made by gathering all possible information to be obtained from international treaties, official publications, parliamentary papers and debates, year books and other public sources of information ; but that, if need be, the enquiry should be completed, as far as the Members of the League of Nations are concerned, by means of a questionnaire based upon the programme which has been approved.
- (c) That the Governments should be asked to furnish to the Secretariat of the League of Nations :—
 - (1) The military, naval and air budgets for the years 1913 and 1921 ;
 - (2) The general budget for all the Ministries for the years 1913 and 1921 ;
 - (3) The reports and minutes of parliamentary debates relative to military, naval and air estimates in 1913 and 1921, and, in general all legislative documents and other publications which throw light on the military policy of each State ;
 - (4) The text of the laws determining the organisation of the land and sea forces.
- (d) That, as soon as possible, each of the Governments should be asked to furnish a statement of the considerations it may wish to urge in regard to the requirements of its national security, its international obligations, its geographical situation and its special circumstances.

The Governments should be especially requested to indicate separately the police and military forces which they consider indispensable for the preservation of domestic order, and the expenditure entailed thereby.

- (e) That the responsibility for carrying out these resolutions should be left to the Secretariat, under the direction of the Temporary Commission and of the Council, and that the Secretariat should be enabled to deal as rapidly as possible with the work of summarising and co-ordinating the statistical data and the documents sent to it, and should be enabled also, in case of need, to call upon the co-operation of competent correspondents in the various countries chosen by the Armaments Section under the supervision of the Temporary Commission.

The Secretariat should be authorised to publish from time to time, with the consent of its Temporary Mixed Commission and of the Council, reports on the partial results of the investigation, without waiting till the results of the statistical enquiry have been fully co-ordinated.

- (f) That once the enquiry has been carried out for the years 1913 and 1921, the Council should be responsible for keeping it up to date for the succeeding years and for having it put into execution by competent bodies.

These resolutions in effect accept the recommendations on the points made by the Temporary Commission. In one point, however, they go further. The proposal that the Governments should make specific returns of what they require for the preservation of domestic order is based on the consideration that with these forces the League of Nations is not directly concerned. Their size and strength are primarily a domestic matter, and do not in themselves affect the international situation. The rest of the forces of each State is for the purpose of combating foreign foes, and it is this portion of the forces which it is the duty of the League of Nations to reduce. It is of great importance that the peoples of the world should be made aware how much of the money and personnel devoted to armaments is the direct consequence of international fear and suspicion, by reason of the relativity of their respective state of safety. It is only by a realisation of this truth that an effective appeal can be made to the reason and conscience of mankind in favour of a serious reduction of armaments.

II—*Private Manufacture of and Trade in Arms.*

The next point in the Temporary Commission's report dealt with by the Committee was that concerning private manufacture of armaments and trade in arms.

These matters are to a certain extent dealt with together by the Temporary Commission, and they are no doubt very closely related, since it is evident that the control over the trade in arms would make a very material difference in the question of their manufacture. Still they are separate questions, and may well have to be dealt with by separate international action. The position of the private manufacture of arms under the Covenant is that it is recognised to involve evil consequences which are not defined, and that the Members of the League are to agree to find a remedy for them. It is obvious that there are two stages necessary before the evils can be dealt with. They must first be examined and their nature ascertained; proposals for dealing with them can then be made.

The Committee were therefore of opinion:—

- (1) That the Temporary Commission, aided by the Secretariat, should continue its investigations into the whole subject; and
- (2) That the Assembly should request the Council to invite all the Members of the League and interested States which are not Members of the League to take part in an International Conference on the Private Manufacture of Arms and the Trade in Arms, so far as it has not been dealt with earlier, which should meet as soon as possible at a date to be fixed under the responsibility of the Council. It is considered highly desirable that this date should be prior to the next session of the Assembly.

The Temporary Mixed Commission should be entrusted with the task of preparing the programme of the Conference and of submitting to it a draft Convention.

Some members of the Committee were anxious that a date should be fixed before which the Conference should be held, but the majority were of opinion that to fix a date might be productive of serious practical inconvenience, and that it was enough to express the view that it was desirable that the Conference should be held before the next Assembly.

III—*Arms Traffic.*

It will be noticed in the last quoted resolution that the Committee recommend that the Conference should also consider the question of the trade in arms, and indeed it is vitally necessary that some control over the export and import of munitions of war should be established and in particular that full information as to the extent and nature of this trade should be given to the League of Nations, and should be published. The Committee are of opinion

that this question should be dealt with in a separate Convention concluded at the Conference which considers the private manufacture of arms so far as it has not been dealt with earlier.

Further, the Committee had before them the first Resolution of the First Assembly, calling attention to the position with regard to the Convention of St. Germain on the traffic in arms, as well as the report of the Temporary Commission on the subject, and they arrived at the following resolutions :—

“1. The Assembly is of opinion that the control of the international traffic in arms and ammunition is an essential preliminary to any effective supervision of armaments, and that no international agreement for this purpose can attain the desired object so long as there remain important countries in which the arms traffic is not subjected to control. The Assembly therefore strongly impresses on all the States signatories to the Arms Traffic Convention of St. Germain, whether Members of the League of Nations or not, the urgent importance of ratifying the Convention at the earliest possible moment ; and, at the same time it invites all non-signatory States to adhere to the Convention.

“2. The Assembly expresses its earnest desire that the importance of this subject may be strongly urged at the forthcoming Conference on Reduction of Armaments at Washington.

“3. The Assembly, taking note of the view expressed in the report of the Temporary Mixed Commission on the Reduction of Armaments with regard to the desirability of making provision for excluding the import of arms and ammunition in time of peace from countries in which the traffic is uncontrolled, invites the Council to prepare a draft protocol for this purpose for the consideration of the various Governments. At the same time it expresses the earnest hope that this procedure will not in any way be permitted to delay the general ratification of the Convention of St. Germain.”

They are further of opinion that some steps should be taken to deal with the large stock of surplus munitions of war at present existing in the world. They are a very serious danger to peace, and it is not too much to say that much of the fighting which is at present going on in the world would not be taking place had the sale of these surplus stocks been more effectively controlled.

The two subjects are closely connected, and as part of their proposals for dealing with the trade in arms, as distinct from the St. Germain Convention on the traffic in arms, the Temporary Commission should also consider what steps can be taken to secure the destruction of existing surplus stocks of munitions.

The report of the Temporary Commission deals also with certain other subjects notably the recommendation of the First Assembly that :—

“ Pending the full execution of the measures for the reduction of armaments recommended by Article 8 of the Covenant, the Assembly recommends the Council to submit for the consideration of the Governments the acceptance of an undertaking not to exceed for the first two financial years following the next financial year, the sum total of expenditure of the naval, military and air services provided for in the latter budget, subject, however, to account being taken of the following reservations :—

“(1) Any contributions of troops, war material and money recommended by the League of Nations, with a view to the fulfilment of obligations imposed by Article 16 of the Covenant or by treaties registered by the League.

“(2) Exceptional conditions notified as such to the Council of the League of Nations in accordance with the spirit of paragraphs 2 and 6 of Article 8 of the Covenant.”

The report sets out the replies on this matter which have been received from the various countries, and expresses the opinion that the enquiry has not given very conclusive results. In this opinion the Committee concurs. They think, however, it might be well to circulate the recommendation once again, together with a statement of the results so far achieved. Some of the countries may well be prepared to go further than they have hitherto thought it possible to proceed.

The Temporary Commission also considered the question of investigation and reciprocal control. The Committee have no observations to make on this part of the Temporary Commission's report.

It will be noted that this section of the Temporary Commission's report deals with point (d) in the resolution of the First Assembly quoted at the commencement of this report. The proposal contained in the remaining point in this last-mentioned resolution, namely, point (c), has already been carried out as set out in the Report of the Council on page 75. The Committee were, however, of opinion that in view of the very considerable addition to the duties of the Secretariat which they are recommending in the matter of reduction of armaments, further provisions should be made for increasing the Armaments Section of that body.

It will be remembered that, at the First Assembly, proposals were made for condemning the use of poison gas in warfare in accordance with the report of the Council on the subject. The Assembly did not in fact take any action about this, and indeed the experience of the late war has shown how difficult it is to enforce any regulations as to the conduct of war under modern conditions. At the same time the Committee are of opinion that the employment of poison gas and similar devices in warfare is an evil of tremendous proportions. It has been stated that

inventions have been made or perfected since the war, whereby wholesale destruction of the civil population would be possible by the dropping of poison bombs and the like from the air nor is there any reason to suppose that the limits of invention in these fiendish devices have been reached. And if, as seems to the Committee to be arguable, the employment of these weapons would be rendered impracticable if there were no secrecy about them, the possibility of obtaining complete publicity for scientific researches in this domain is certainly worth exploring. Accordingly the Committee recommend that the Temporary Mixed Commission should be asked to consider whether an appeal should not be addressed to all scientific men of the world, urging them to publish to the world the results of their discoveries in such matters, so that the knowledge of them having become public property, their use as weapons of war by any single State may be rendered improbable.

Valuable and important as the proposals are which have been discussed, it is nevertheless true that they do not touch the kernel of the question. If they were all carried out, only preliminary steps would have been taken towards the limitation of armaments. By Article 8 of the Covenant it is made the duty of the Council to "formulate schemes" for the reduction of armaments. No such scheme can yet be said to have been formulated. Doubtless there is much force in the contention that armaments can only be effectively limited when a world condition of peace have been reached, and when the League has become universal. But even this contention may be pressed too far. Complete peace has scarcely ever existed in the world, and cannot be expected in the immediate future. Few observers will deny that great steps might be taken towards the limitation of armaments in many of the principal countries if it were not for the existence of international fear and suspicion, depending not on present hostilities, but on the recollection of past wars. It is true that no complete scheme of reduction of armaments can be carried out without the co-operation of the United States, Germany and Russia. In particular, the naval strength of the first-named Power makes any scheme of naval disarmament impossible without her support, and it is for that reason among others that the Committee warmly welcomes the forthcoming conference at Washington, and trusts that it may be fruitful in securing a large measure of reduction of armaments. But on the military side it must be observed that the Army of the United States has been reduced to 120,000 men. German disarmament, whether complete or not, has proceeded a very considerable distance, and the armies of Russia have neither equipment nor discipline to be a very formidable force to any well trained European army.

There seems no reason indeed why the Council, in performance of the duty imposed upon them by the Covenant, should not lay down the general lines of a policy for the limitation of armaments. The Committee therefore think it desirable that the Temporary Commission should be specifically charged with the duty of preparing such a policy.

It is clear that if, and when, this policy come to be put into effect by the acceptance of a definite scheme of reduction of armaments by the Governments of the Members of the League, this scheme might take the form either of a general treaty or of a series of regional treaties laying down in detailed stipulations the armed forces which each of the contracting parties undertake not to exceed. There is no need here to go into the exact form which these treaties would take. There are already in existence treaties limiting the armaments of various countries, and possibly these might serve as a model. That, however, is a minor point. The principal thing is that the agreements which bring about the reduction of armaments would have to embody mutual undertakings either as to the number of men to be maintained by the various countries, or as to the amount of money to be spent on the equipment, or as to both men and money. It is most important, in order to bring a concrete proposal before the attention of the peoples of the world, that the Temporary Mixed Commission should, after due consideration, draw up the general lines of some definite plan in accordance with which these agreements might be framed. It would be worth while for them to consider whether they could go so far as to propose a report in the form of a model skeleton treaty which could be adapted to the requirements of the situation when the actual agreements came to be made. In order to carry out this task the Committee adopted the suggestion of one of the members of the Temporary Mixed Commission that it should be reinforced.

Finally, the Committee recognise that a policy of disarmament to be successful requires the support of the populations of the world. Limitation of armaments will never be imposed by Governments on peoples, but it may be imposed by peoples on Governments. The Committee are firmly convinced that it is of the most urgent importance that an earnest and vigorous propaganda be carried on in all countries of the world, to bring home to their populations the urgent necessity for the reduction of armaments as provided for in Article 8 of the Covenant, and the Committee venture to suggest to the various delegates to this Assembly that they should make it their business to preach this doctrine in their own countries. For it is only by creating an instructed public opinion in each country that the necessary strength of world opinion can be obtained.

The following recommendations have therefore been adopted by the Committee :—

1. That it is desirable that the Temporary Mixed Commission should be asked to continue the work which it has begun.
2. That the Temporary Mixed Commission be asked to make proposals on general lines for the reduction of national armaments which, in order to secure precision, should be in the

form of a draft treaty or other equally definite plan, to be presented to the Council if possible before the Assembly next year.

In order to enable the Temporary Mixed Commission to accomplish this task, the Council should be asked to strengthen the Temporary Mixed Commission.

3. A statistical investigation will be made with regard to the armaments of the various countries upon the lines indicated in the body of the report.

4. That the Temporary Mixed Commission be requested to continue the examination of the question of the Private Manufacture of Armaments and the Trade in Arms.

5. That the Council be requested to invite all the Members of the League and interested States which are not Members of the League to take part in an International Conference on the Private Manufacture of Arms and the Trade in Arms, which should meet as soon as possible at a date to be fixed under the responsibility of the Council. It is considered highly desirable that this date should be prior to the next session of the Assembly.

The Temporary Mixed Commission should be entrusted with the task of preparing the programme of the Conference and of submitting to it a draft convention.

6. That the urgent importance of ratifying the Convention at the earliest possible moment should be strongly impressed on all the States signatories to the Arms Traffic Convention of St. Germain, whether Members of the League of Nations or not, and at the same time all non-signatory States should be invited to adhere to the Convention.

The Assembly expresses its earnest desire that the importance of this subject may be strongly urged at the forthcoming Conference on Disarmament at Washington.

7. The Assembly, taking note of the view expressed in the Report of the Temporary Mixed Commission on Disarmament with regard to the desirability of making provision for excluding the import of arms and ammunition in time of peace from countries in which the traffic is uncontrolled, invites the Council to prepare a draft protocol for this purpose for the consideration of the various Governments. At the same time it expresses the earnest hope that this procedure will not in any way be permitted to delay the general ratification of the Convention of St. Germain. The steps that may eventually have to be taken for the destruction of the surplus stocks of munitions may be considered by the Temporary Mixed Commission.

8. That, subject to the conditions set out in the recommendation of the first Assembly, the recommendation that Members of the League should undertake not to exceed for the next two financial years following the present year the sum total of expenditure on military, naval and air forces provided for in the budget of that year, should be again forwarded to all Members of the League, together with a statement showing the replies already received to this recommendation.

9. That the Temporary Mixed Commission be asked to examine—in consultation with the Permanent Advisory Commission—whether it is advisable to address an appeal to the scientific men of the world to publish their discoveries in poison gas and similar subjects, so as to minimise the likelihood of their being used in any future war.

10. That it is desirable that propaganda in favour of the reduction of armaments, as contemplated in the Covenant, should be carried out with earnestness and conviction in all nations.

11. In pursuance of the third resolution of the First Assembly, the Committee is of opinion that the Secretariat should be asked to complete the organisation of the Section of the Secretariat dealing with the question of the reduction of armaments and that this section should have a directorship of its own, or other equivalent official organisation, quite separate from and, if necessary, in addition to, those already proposed by the Fourth Committee of the Assembly.

ANNEX 3.—Report presented to the Assembly by Committee No. III, on the Economic Weapon of the League.

The League of Nations broached last year the question of the use of the economic weapon and of the construction to be placed upon the provisions of Article 16 of the Covenant. The First Assembly entrusted this question to the Sixth Committee, which, after a Sub-Committee had investigated the matter, submitted a report, drawn up by Lord Robert Cecil, to the Assembly. In this Report, which was adopted by the Assembly with certain slight amendments, the Sixth Committee made certain provisional suggestions with regard to the interpretation and application of Article 16, and in conclusion drafted the following resolution:—

“The Council should be asked to appoint an International Blockade Committee to consider the application of Article 16 of the Covenant. The Committee will report to the Council, which shall place the conclusions before the Assembly at its next session for their acceptance, rejection, or amendment, without prejudice to any action which may have been originally taken upon them. The Committee should not exceed eight in number, with power to summon experts to advise them, and not less than half its members should

be persons representing States which have not a right to permanent membership of the Council."

The first Assembly adopted this Resolution at its meeting on 10th December 1920. The Council therefore appointed the International Blockade Committee, which sat at Geneva from 22nd to 29th August last, and submitted its report to the Council at the end of that month.

The Council has submitted this report to the present Assembly, and the latter has referred it to the Third Committee.

The Third Committee has devoted a number of meetings to the consideration and discussion of the International Blockade Committee's Report, and now has the honour to submit to the Assembly the result of its investigations and the conclusions drawn therefrom.

The International Blockade Committee, with a view to accomplishing its task, divided its report into four headings, on the basis of the following questionnaire:—

- (1) Under what conditions should sanction, be applied?
- (2) Whose duty is it to decide that the necessity for sanctions has arisen?
- (3) At what moment, and by whom, should these measures be applied?
- (4) How should they be applied?

Your Committee has adopted the same logical system in its enquiry, and has thus been enabled to investigate in proper sequence all the principal questions relating to the employment of the economic weapon, especially the questions referred to in the report adopted by the First Assembly.

The Committee has, however, slightly amended the headings of the various chapters in order to make these headings correspond more precisely to the subject dealt with in each chapter.

It is important first of all that certain general considerations should be put forward.

There is no doubt that Article 16 is one of the most important and fundamental Articles contained in the Covenant. As Lord Robert Cecil pointed out in the speech which he made on this question in the First Assembly, the most powerful weapon possessed by the League of Nations is the public opinion of the world, which will force the members of the League to respect the Covenant. In the domestic affairs of States, however, it is sometimes necessary to use force in order to compel certain individuals to respect the law, and in the same way it may, in certain cases, be necessary to resort to the economic weapon in order to compel Members of the League to fulfil their obligations.

It follows, therefore, that Article 16 is one of the principal elements of the legal system embodied in the Covenant, and this system would be altogether incomplete were no provision made for the enforcement of effective sanctions against States which do not fulfil their obligations.

On the other hand, there is no doubt whatever that the application of Article 16 involves many complicated questions which it is very difficult to solve.

The starting point of the argument and of the conclusions arrived at by the Blockade Committee has been as follows:—The authors of the Covenant had considered the League of Nations as an organisation embracing all or nearly all States, and capable of prompt action in the event of breach of the Covenant. In the view of the International Blockade Committee, the application of Article 16, even had the League been universal, might have formidable consequences either for the League of Nations in general or for some of its Members. But the afore-mentioned Committee was of the opinion that as the League of Nations had not yet attained a world-wide or nearly world-wide character, a very rigid application of Article 16 would not only meet with very great obstacles, but might also place the States Members of the League in very difficult situations. That is why the International Blockade Committee has seen fit to recommend solutions which, in the present stage of the League of Nations, will, so far as possible, make allowance for the facts as they are.

Your Committee therefore considered that it must proceed cautiously and by degrees; hence the texts which it ventures to submit to you.

The International Blockade Committee came to the conclusion that certain parts of Article 16 would have to be modified, and submitted texts to this effect, considering also that if its various proposals for interpretation were favourably received, it would be expedient to submit the Article as a whole to re-consideration and re-drafting.

Your Committee has accepted this point of view and accordingly submits to you a new drafting of Article 16, embodying the amendments which it thought necessary to introduce.

For this reason your Committee has considered it advisable to leave the provisions of Article 16 as a whole intact and in their logical connection, restricting itself to proposing three amendments only to the text of the Article which appeared indispensable, as they contemplate measures for the adoption of which declarations of a purely interpretative character would not suffice.

I.—*Under what Conditions should Sanctions be applied? Effect of a Member of the League having resort to War in violation of the Covenant.*

The Blockade Committee, in the first place, expressed the opinion that, reserving the special provision in Article 17, the economic measures mentioned in Article 16 are only applicable to the specific case contemplated in that Article.

Your Committee associates itself with this point of view; the provisions of Article 16 in this respect are clear and explicit. Economic measures as a means, not only of putting an end to hostilities, but also as a means of forestalling them, or of assuring the execution of arbitral awards, may be contemplated also in other cases—to give examples, in those cases referred to in Articles 10 and 11, first paragraph, Article 17, fourth paragraph, etc. In these circumstances, however, the application of economic measures has not the character of a compulsory sanction as in the hypothesis contemplated by Article 16. What is this hypothesis?

It is laid down that, "should any Member of the League resort to war in disregard of its Covenants under Articles 12, 13 or 15." It would, therefore, be necessary to resort to compulsory application of the economic sanctions provided for by Article 16 when a Member of the League resorts to war—

- (a) without having submitted a dispute likely to lead to a rupture either to arbitration or to enquiry by the Council (Article 12, first paragraph);
- (b) without having waited three months after the award by the arbitrators or the report by the Council (Article 12, first paragraph);
- (c) against a Member of the League which complies with the award by the arbitrators (Article 13, fourth paragraph);
- (d) against a Member of the League which shall have accepted a report by the Council concurred in by all the Members, or a resolution of the Assembly adopted by a majority under the conditions contemplated by the last paragraph of Article 15.

Finally, the compulsory application of economic sanctions mentioned in Article 16 is required in the case contemplated in the first and third paragraphs of Article 17, either, when a State, not a Member of the League, has resorted to war and agrees to submit to the obligations imposed upon Members for the purpose of settling a dispute, or when a State which is not a Member of the League refuses to accept these obligations.

A second point of great importance for the just interpretation of Article 16 is the declaration, contained in the first paragraph of the same Article, the State Member of the League which resorts to war contrary to the provisions of Articles 12, 13, 15, "shall, *ipso facto*, be considered as having committed an act of war against all the other Members of the League."

With regard to this, the Blockade Committee has emphasised the difference between *act of war* and *state of war*. There is no doubt that an act of war on the part of the Covenant-breaking State gives to all the other Members of the League the right to proceed to acts of war against that State, and even to declare themselves at war with it.

But the unilateral act of the defaulting State is not, according to the views held by the Blockade Committee, sufficient to create a state of war which would, for the greater part of the Members of the League, be a mere fiction.

Your Committee concurred in this point of view. The fundamental idea inspiring the Covenant is the avoidance of war and the substitution of pacific measures for the settlement of international differences, or of less violent sanctions such as those of an economic nature. Once this fundamental idea is admitted, it scarcely seems rational to attribute to the unilateral act of a defaulting State the power of determining automatically a general state of war throughout the world; it is evidently not in the interests of the Members of the League to be obliged to consider themselves from the first moment as at war with the defaulting State, and to deduce from this state of war all the consequences admitted by international law.

It appears, on the contrary, more in keeping with the high ideals of the League of Nations to grant the Members of the League a certain latitude in applying the sanctions contained in Article 16, so that at the outset they might restrict themselves to exercising a certain economic pressure which could, if necessary, be gradually increased and intensified; but they might declare themselves definitely at war only if the defaulting State persisted in its conduct as a Covenant-breaking State.

In accordance with the foregoing considerations, the Committee asks the Assembly to adopt the following Resolutions:—

1. Subject to the special provisions of Article 17, the economic measures referred to in Article 16 shall be applicable only in the specific case referred to in this Article.

2. The unilateral action of the defaulting State cannot create a state war: it merely entitles the other Members of the League to resort to acts of war or to declare themselves in a state of war with the Covenant-breaking State; but it is in accordance with the spirit of the Covenant that the League of Nations should attempt, at least at the outset, to avoid war, and to restore peace by economic pressure.

II.—*Whose Duty is it to decide that the necessity for Sanctions has arisen? Nature and Limitations of the Powers of the Council.*

A guiding principle for the interpretation of Article 16 was approved by the Assembly at its first meeting, in accordance with the proposals of the Committee set up last year. This principle is as follows: It is the duty of each of the Members of the League to ascertain and to decide whether a breach of the Covenant within the meaning of Article 16 has been committed.

The principle is in agreement with the spirit of the Covenant, and with the fact that Article 16 does not recognise that any organisation of the League of Nations has the power to decide, in such a way as to bind all the other Members, that a given Member is a treaty-breaking State. Such a power would not be consistent with the sovereign rights of the various States.

On the other hand, this principle certainly does not mean that the Members of the League may of their own free will withdraw from the obligations incurred in virtue of the Covenant. When cases provided for by Article 16 arise, and as soon as a Member of the League is convinced that a breach of the Covenant has occurred within the meaning of Article 16, it is bound to co-operate in the application of the sanctions provided for in this Article. This obligation is explicitly imposed by the Covenant, and must be observed by the Members of the League in accordance with the respect due to Treaties.

Nevertheless, the difficulties involved in the application of the fundamental principle which we have just stated cannot be ignored.

Differences of opinion may exist in the various countries as to the facts which would constitute a breach of the Covenant within the meaning of Article 16. As the International Blockade Committee points out, grave doubts may arise as to which country had committed the first acts of war, or whether the State which has been attacked has carried out a unanimous recommendation of the Council. Moreover, isolated attempts, aiming at the immediate application of the economic sanction, might involve the States actually making these attempts in very unfortunate consequences, without affecting the Covenant-breaking State to any appreciable degree. They may, moreover, give rise to disagreements between the States applying the economic weapon and such Members of the League as may delay in doing so.

It is therefore a question of reconciling the liberty and independence of the States in the determination of a breach of the Covenant on the one side, with the obvious necessity on the other, of arriving at an agreement between Members of the League as to the existence of a substantive breach of the Covenant within the meaning of Article 16 and of co-ordinating their action on the basis of a joint plan.

Your Committee believes that this conciliation can be found in the procedure outlined in the Resolutions, the text of which it submits to you at the end of this chapter.

Every Member of the League has the right, and it is the Secretary-General's duty immediately to inform the Council of any breach of the Covenant, or to warn it of the danger of such a breach. Thus informed, the Council, on its side, must meet with as little delay as possible, and summon, besides the States involved in the conflict, the other States most concerned which are not represented on the Council.

It is not possible to give any exact definition of what is to be understood by "the States most concerned." Nevertheless, we are in agreement on this point with the International Blockade Committee, and we have therefore endeavoured to show, in a list which is purely indicative in character, what States these might be. The majority of the Committee did not agree with the International Blockade Committee proposal to leave—temporarily and subject to the Council's decision—the choice of the States to be summoned to the President of the Council. It seemed to the majority of the Committee that this was a duty of such importance that it could only be assigned to the Council itself; this body, moreover, meeting urgently, would certainly not fail to take steps at its first meeting for summoning the States in question. If the choice of the States to be summoned were left to the President, this procedure might give rise to serious inconveniences, especially if the President's choice should not be ratified by the Council.

It must be emphasised that the Council must not take any decision as to whether a breach of the Covenant had taken place; its duty is merely to give its opinion.

It is the great moral authority of the Council, strengthened by the presence of the States concerned, which must confer upon its opinion that convincing force which is essential for bringing the Members of the League into agreement, and for inducing them to take joint action. Faced with the Council's opinion, deeming a State to have broken the Covenant, it will be very difficult for the Members of the League to evade the fulfilment of their engagements.

In order that the Council's opinion that a breach of the Covenant has taken place may have all necessary influence on the Members of the League, it is indispensable that the minutes of the meeting at which this opinion has been formulated should be transmitted with the least possible delay to all the Members of the League, together with a statement explaining the reasons for this opinion and a request to the Members to conform thereto; the greatest publicity should be given to this act in order that it may be known to States which do not belong to the League of Nations and to public opinion throughout the whole world.

One more point remains to be elucidated with regard to the procedure to be followed by the Council in adopting the opinion in question.

We have admitted that representatives of the States in conflict and of the other States most concerned, even if they are not Members of the Council, should sit on that body whenever an opinion is to be formulated as to whether there has been a breach of the Covenant or not.

That is in accordance with the provisions of Article 4, paragraph 5, of the Covenant. But it would not be possible to admit also that a State accused of having violated the Covenant, whether it is or is not an ordinary Member of the Council, may by its vote prevent action on the part of the League, or that the accusing State should have a decisive influence on the opinion adopted by the Council.

The Committee has endeavoured to avoid, as far as possible, proposing amendments to Article 16, preferring to employ the method of interpretative statement. But to settle the question of procedure which is under discussion here, it is essential to amend the text of Article 16 in order to modify the general provisions laid down in Articles 4 and 5.

We have accepted the International Blockade Committee's idea not to create a permanent technical organisation to carry out Article 16, but only to provide that the Council shall, if necessary, when Article 16 is being applied, be assisted by a technical Committee, the members of which would be appointed by the Council.

The Committee proposes that the Assembly should adopt the following resolutions :—

1. It is the duty of each Member of the League to decide for itself whether a breach of the Covenant has been committed. The fulfilment of their duties under Article 16 is required from Members of the League by the express terms of the Covenant, and they cannot neglect them without breach of their Treaty obligations.

2. All cases of breach of Covenant under Article 16 should be referred to the Council as a matter of urgency at the request of any Member of the League. Further, should a breach of Covenant be committed, or should there arise a danger of such breach being committed, the Secretary-General should at once give notice thereof to all the Members of the Council. Upon receipt of such a request by a Member of the League, or of such a notice by the Secretary-General, the Council will meet as soon as possible. The Council should proceed to summon representatives of the parties to the conflict and of all States which are neighbours of the defaulting State, or which normally maintain close economic relations with it, or whose co-operation would be especially valuable for the application of Article 16.

3. If the Council is of opinion that a State has been guilty of a breach of Covenant, the minutes of the meeting at which that opinion is arrived at should be immediately sent to all Members of the League, accompanied by a statement of reasons and by an invitation to take action accordingly. The fullest publicity shall be given to this decision.

4. For the purpose of assisting it to enforce Article 16, the Council may, if it thinks fit, be assisted by a *technical* Committee. The composition of this Committee, which will remain in permanent session as soon as the action decided on is taken, will be subject to modification and may include, if desirable, representatives of the States specially affected. Those representatives should be selected by the Council.

The Committee proposes the following amendment to Article 16 before the last paragraph should be inserted :—

“The Council has to give an opinion as to whether a breach of the Covenant has taken place or not. When the Council gives such an opinion, the votes of the States charged with having committed a breach of the Covenant and of the State bringing the charge, no matter whether these States are Members of the Council by virtue of Article 4, paragraph 1, of the Covenant, or have been specially summoned, shall not be reckoned in determining whether or not there has been an unanimous decision.”

III.—*At what Moment and by whom should the Sanctions be applied?*

The Committee agrees with the International Blockade Committee as regards the following statement: In view of the fact that it is necessary in the general interest that the economic weapon should be effective, and that for this purpose efforts must be centralised and a common plan of action adopted, the Council should fix a date on which the measures in question should be taken, and that it should give notice of this date to all the Members of the League.

It is true that in paragraph 1 of Article 16 the word “immediately” is used, but this word may, in the opinion of the majority of the Committee, be reconciled, according to circumstances and common sense, with the necessary and inevitable period required for the adoption and putting into practice of a common plan for the application of the economic sanctions.

The Committee also agrees with the International Blockade Committee as regards the general principle that, all States should be on the same footing in respect of the application of measures of economic pressure, and should be treated with absolute impartiality. This general principle, however, may, in practice, give rise to certain reservations on two grounds.

On the one hand, it may be necessary to assign a special mission to certain States. For example, those States which border upon or are situated near the State which has violated the Covenant may have to take special measures, the adoption of which by the other Members of

the League it would be unnecessary or quite useless to demand. It may also be necessary to take naval, military or air measures against the State which has committed a breach of the Covenant. In this case it is the duty of the Council under the terms of Article 16, paragraph 2, to recommend to the various Governments concerned the measures to be adopted. It is clear, however, that all States could not be called upon to take part in these steps in the same manner and to the same extent.

In the second place, the International Blockade Committee was of opinion that in the case of certain States complete and immediate participation in an economic blockade might, owing to the inadequate natural resources and the geographical position of these States, involve them in serious dangers, particularly if the blockaded State were economically very strong and one with which the States in question ordinarily maintain close commercial relations. The amendments to the Covenant submitted by the Scandinavian States refer to this case.

On this point the international Blockade Committee arrived at the conclusion that in practice the principle on which these amendments are based must be carried out, but that it is of the utmost importance to specify that what is aimed at is not a general system of exemptions, but only an exemption for a specific case and in particular circumstances which justify such an exemption. On this point the International Blockade Committee proposed the following amendment to Article 16 :—

“ The Council may, however, at the request of a Member which can show that the facilities demanded are essential for its economic or political security, grant such exemptions as, in its opinion, will not conflict with the aims of Article 16.”

On this point there was a long discussion in your Committee. From this discussion it was ascertained that the majority of the Committee felt that it could not support the amendment proposed by the International Blockade Committee for the reason that it did not think that it could, in principle, allow any real exceptions to the obligations laid down in Article 16 to be granted. Indeed, such exceptions would be contrary to the duty of all the States Members of the League to observe the engagements which they have undertaken in virtue of the Covenant, and would also contravene the principle of justice and equality among these States.

But the majority of your Committee considered that account must to a certain extent be taken of the particular conditions and requirements of certain countries, and that situations might arise in which it would be recognised as expedient to postpone, in the case of certain States, either wholly or in part, and for fixed periods, the effective application of the economic sanctions laid down in Article 16. In this there would be no contravention of the fundamental principle that all the Members of the League are equally bound to observe the obligations of the Covenant. It will be admitted that under given circumstances the application of the economic measures may be carried out with a certain gradation, not in any particular interest, but in the general interest of the success of the economic pressure on the defaulting State.

It might happen, for instance, that, in view the particular situation of a State, if this State were to break off all relations with the defaulting State, the latter would be induced to commit acts endangering the success of the common action of the League—for example, to take possession of certain strategic points of the first State. On the other hand, the spirit of article 16 presupposes a common plan of action and gives to the States the right of mutual support.

The view was expressed in the Committee that this solution was contrary to the principle laid down in the first paragraph of Article 16 ; that is to say, that the members of the League undertake *immediately* to break off all relations with the defaulting State. But, as has already been stated in the preceding chapter in connection with the moment at which the economic pressure is to be applied, the expression “ immediately ” used in Article 16 must, in the opinion of the majority of your Committee, be interpreted as meaning that the act constituting a breach of the Covenant entails an *immediate obligation* for all Members of the League to break off their relations with the defaulting State. This, however, does not mean that, as far as time is concerned, certain States may not, by common agreement and in the general interest, be absolved from the *immediate carrying out of this obligation*. In interpreting the word “ immediately ” in the light of the existing situation and of common sense, we are therefore inclined to the view that the execution of the obligation must be effected without delay, when, having regard to the common object in view, such execution is essential.

The Committee has thought it necessary that the solution proposed to you should take the form of an amendment, the text of which it now lays before you.

The Committee proposes that the Assembly adopt the following resolutions :—

1. The Council should fix the date on which the enforcement of economic pressure, under Article 16, is to be begun, and should give notice of that date to all the Members of the League.

2. All States must be treated alike as regards the application of the measures of economic pressure, with the following reservations :—

(a) It may be necessary to recommend the execution of special measures by certain States ;

- (b) If it is thought desirable to postpone, wholly or partially, in the case of certain States, the effective application of the economic sanctions laid down in Article 16, such postponement shall not be permitted except in so far as it is desirable for the success of the common plan of action, or reduces to a minimum the losses and embarrassments which may be entailed in the case of certain Members of the League by the application of the sanctions.

Further, the Committee proposes to the Assembly the following amendment: Insert after the first paragraph of Article 16:—

“Nevertheless, the Council may in the case of particular Members postpone the coming into force of any of these measures for a specified period where it is satisfied that such postponement will facilitate the attainment of the object of the measures referred to in the preceding paragraph, or that it is necessary in order to minimise the loss and inconvenience which will be caused to such Members.”

IV.—How should the Sanctions be Applied?

The Committee supports the view of the International Blockade Committee, which has expressed the opinion that it is impossible to decide in advance and in a definite manner on all measures to be taken for the application of Article 16. It has, however, recognised that it would be well to give, at this juncture, some general indications on the way in which the sanctions of the said Article should be applied.

Article 16 stipulates, in the first paragraph, that the Members of the League of Nations undertake “immediately to sever all trade or financial relations with the defaulting State, to prohibit all intercourse between their nationals and the nationals of the Covenant-breaking State, and to prevent all financial, commercial or personal intercourse between the nationals of the Covenant-breaking State and the nationals of any other State, whether a Member of the League or not.”

According to this provision, from the moment when the sanctions are applied, a situation arises which is not compatible with the maintenance of diplomatic relations. But, if a state of war is not expressly declared, it would not be impossible, in the opinion of the International Blockade Committee, to confine this action, at the outset, to the recall of the heads of Missions. This step would probably produce a profound impression, especially if taken by the various Members of the League simultaneously. At first it might, therefore, be advisable to maintain diplomatic representatives of lower rank, in the hope that the defaulting State might change its attitude.

Your Committee supports this view, and also shares the opinion of the International Blockade Committee regarding the possible maintenance of consular relations. In a similar way, if no state of war has been declared, the temporary maintenance of Consuls at their posts may serve a useful purpose in view of any change in the attitude of the Covenant-breaking State.

As regards the most essential parts of the sanctions of Article 16, that is to say, the severance of all trade and financial relations, and the prohibition of all financial, commercial or personal intercourse between the people of the blockaded State and of other States, the word “nationals” used in this Article has raised serious problems. Last year it was held in the Assembly that the word “nationals” should be interpreted as a synonym for “inhabitants” in the sense that a Member of the League shall not be obliged to prohibit, in its own territory, the intercourse of its own nationals with the nationals of the defaulting State. The prohibition of intercourse, according to this interpretation, should apply from country to country, *i.e.*, between States and not within States. It has been observed that any contrary interpretation might create extremely difficult situations, especially in countries the population of which comprises a large proportion of foreigners.

The International Blockade Committee has held that the word “nationals” should be understood in the sense of “residents,” but that this interpretation of the word “nationals” was not an obvious one, so that it was necessary to amend Article 16 in this respect.

Your Committee shares this view, and consequently submits to you a proposed amendment to the second portion of the first paragraph of Article 16. It does not appear that the problems raised by the word “nationals” can be solved merely by an interpretation explanation and without inserting an explicit amendment in the provision in question.

The International Blockade Committee, after having laid down that the prohibition of all commercial relations with the inhabitants of the defaulting State should be strictly applied by all Members of the League, proposed to prepare and to revise from time to time a list of articles considered to be of vital importance in warfare. No exemptions could be granted concerning articles mentioned in this list, which would at the same time form a list of contraband, if it became necessary to exercise the right to search vessels at sea.

Your Committee did not consider it expedient to accept this suggestion made by the International Blockade Commission. It seemed to the Committee that it was premature to draw up a list of this kind at this time. We are here concerned with measures which cannot be anticipated, the details of which depend upon circumstances of time and place difficult to foresee accurately, and on the special situation of the State which might be subjected to economic pressure.

The International Blockade Committee justly considers that the economic pressure should be applied by measures becoming, if necessary, more and more stringent. Your Committee accepts this principle of graduation in the employment of the economic weapon and associates itself also with the conclusion that the cutting off of the food supplies of the civil population of the defaulting State should be regarded as an extremely drastic measure, to be applied only if all other available measures have been found to be clearly inadequate.

In order to assure the interruption of the relationships mentioned in the first paragraph of Article 16, it will be essential to submit correspondence and all other methods of communication to special regulations. The necessity of such a measure has been shown by experience.

Article 16 speaks of the prohibition not only of financial and commercial relations, but also of *personal* communications. The International Blockade Committee has felt itself called upon to interpret this expression in the sense that personal relations should only be interrupted if they have a bearing upon commercial or financial relations. Your Committee, however, has not considered that it was necessary to introduce distinctions in this respect, which would be difficult to draw, and limitations which may be dangerous to the success of the measures of economic pressure.

As regards humanitarian relations, it is fully accepted that these should continue. Last year this question was discussed in the Assembly, and the Sixth Committee expressly declared that the prohibition of all commercial or other relations between the inhabitants of countries Members of the League of Nations and the inhabitants of the territory of the defaulting State did not include any existing humanitarian relations.

A difficult question which has been raised is that of deciding how the economic weapon is to be employed when a Covenant-breaking State has for a neighbour a State which does not belong to the League, and, generally, what is to be the attitude to be adopted towards those States which are not Members of the League.

The International Blockade Committee did not think it necessary to give much time to the consideration of this point, as it involves questions which do not arise directly, or at any rate not exclusively from Article 16. The Committee limited itself to declaring that, as regards the States which are not Members of the League, every possible effort should be made to conclude agreements which would assure at least the passive co-operation of these States in the measures to be taken; this recommendation applies also to all the exporting States and all the States whose territory is adjacent to that of the defaulting State. The International Blockade Committee did not consider it necessary to formulate a decision on the measures which might be adopted if it should be impossible to arrive at agreements, an eventuality which the Committee did not consider probable.

Nor does your Committee believe it necessary or suitable, at the present time, to make declarations upon this point which might limit the freedom of action of Members of the League. If the occasion should arise, it will be the duty of the Council to consider the means for preventing the employment of the economic weapon being rendered useless by the action of States which do not form part of the League, and to propose suitable measures for this purpose to the Members of the League.

It has already been explained in Chapter III, that for the application of economic sanctions it may be necessary to recommend special measures for certain States. Amongst these special measures we must mention particularly that of the effective blockade which would have to be applied on the seaboard of the defaulting State. If it were decided to have recourse to such a measure, it would devolve upon the Council, in accordance with Article 16, paragraph 2, to recommend what naval forces should be employed, and what Members of the League should be called upon to effect the blockade.

The International Blockade Committee hesitated to declare an opinion on the application of the maritime blockade and on the exercise of the right of visiting vessels, because it felt that the effects of the new conception, which is embodied in the League of Nations upon the traditional principles of international law, required an exhaustive study. Instituted to investigate the question of the application of Article 16, the Committee, by reason of its technical nature, considered that a legal problem of such importance was scarcely within its competence. It confined itself to stating that in particular instances, where the enforcement of economic measures was necessary, it might be expedient to impose and maintain an effective blockade on the seaboard of the defaulting State, and that it might also be expedient for a certain number of Members of the League to exercise the right of belligerents in stopping and visiting vessels at sea and establishing prize courts.

It was proposed in your Committee to ask the Council to appoint a special Committee of legal, naval and commercial experts, who should be instructed to consider the rules for the application of a maritime blockade, considered as a measure supplementary to the economic sanctions provided for in Article 16 of the Covenant. But the majority of the Committee were unwilling to endorse this proposal.

As regards the executive or legislative measures which each country might have to adopt for the application of the economic sanctions of Article 16, the International Blockade Committee considered that this was a question which each country must decide for itself. It was neither incumbent upon, nor possible for, the League to lay down uniform rules for the legislative or executive procedure to be adopted by the various countries.

This opinion cannot but be unreservedly accepted, and it was precisely on account of this consideration that the Secretary-General of the League had addressed a questionnaire to the various Governments, in order to find out what were their respective laws in this matter. The replies from the Governments to this questionnaire have been published. From them it is evident that the laws of the various countries in the matter of the competence of the Governments, or of the legislative bodies, to authorise and adopt the measures provided for in Article 16, are very different. What is most important in the opinion of your Committee is that the Secretary-General of the League of Nations should again urge upon all Governments to prepare themselves to carry out without delay—should occasion arise—the obligations they have undertaken under Article 16 of the Covenant.

The Committee proposes the following resolutions for adoption by the Assembly :—

(1) It is not possible to decide beforehand, and in detail, the various measures of an economic, commercial and financial nature to be taken in each case where economic pressure is to be applied.

When the case arises, the Council shall recommend to the Members of the League a plan for joint action.

(2) The interruption of diplomatic relations should, in the first place, be limited to the withdrawal of the heads of Missions.

(3) Consular relations may possibly be maintained.

(4) For the purposes of the severance of relations between persons belonging to the Covenant-breaking State and persons belonging to other States Members of the League, the test should be residence and not nationality.

(5) In cases of prolonged application of economic pressure, measures of increasing stringency should be taken. The cutting off of the food supplies of the civil population of the defaulting State should be regarded as an extremely drastic measure which should only be applied if the other measures available are clearly inadequate.

(6) Correspondence and all other methods of communication will have to be subjected to special regulations.

(7) Humanitarian relations will be continued.

(8) Efforts should be made to arrive at arrangements which would ensure the co-operation of States non-Members of the League in the measures to be taken.

(9) In special circumstances and in support of economic measures to be taken it may become advisable (a) to establish an effective blockade of the seaboard of the Covenant-breaking State ; (b) to entrust to some Members of the League the execution of the blockade operations.

(10) The Council should urge upon all the States Members of the League that their Governments should take the necessary preparatory measures, above all of a legislative character, which would enable them to enforce at short notice the necessary measures of economic pressure.

The Committee proposes an amendment to the following effect: the words "their nationals and the nationals," in the first paragraph of Article 16, shall be replaced by the words "persons residing in their territory and persons residing in the territory"; the words "the nationals of the Covenant-breaking State and the nationals," in the same paragraph, shall be replaced by the words "persons residing in the territory of the Covenant-breaking State and persons residing in the territory."

The Committee thinks that it has conscientiously considered the Report of the International Blockade Committee and has clearly stated its opinions upon the various solutions suggested by that Committee. The Committee has not accepted all these solutions and has modified the form of some of them, but, generally speaking, it feels bound to express its appreciation of the efforts of the International Blockade Committee, which has undoubtedly made a considerable contribution to the work of interpreting the Covenant.

The Committee has endeavoured to provide the Assembly with complete information on the question, so that it may be in a position to take the decisions necessary for the practical application of Article 16 and for the employment of the economic weapon. The Committee hopes that it has in this way fulfilled the task entrusted to it by the Assembly.

(Signed) CARLO SCHANZER, *Rapporteur*.

Geneva, 20th September 1921.

APPENDIX.

The text of Article 16 of the Covenant with the modifications proposed by the majority of the Third Committee. (See paragraph 67 of the Report.)

ANNEX 4.—Report submitted by the Fourth Committee on the organisation of the Secretariat and the International Labour Office.

The Fourth Committee devoted nine meetings between 8th and 21st September to detailed work upon, and exhaustive study of, the report of the Commission of Enquiry. It has adopted the conclusions of this Commission of Enquiry with a few slight alterations affecting the form rather than the substance.

We examined both the organisation of the Secretariat of the League of Nations and that of the International Labour Office. In the case of these two institutions the majority of the problems are identical, or at least of a very similar nature. The remarks and recommendations of the Fourth Committee will consequently have reference both to the Secretariat and to the International Labour Office. Particular mention will, however, be made *in fine* of special points connected with the International Labour Office.

Finally, three annexes are attached in support of certain recommendations, and to develop certain questions which have called for special discussion, or to illustrate, by means of selected examples, certain points of detail.

PART I.—SECRETARIAT OF THE LEAGUE OF NATIONS.

I.—GENERAL OBSERVATIONS.

The Fourth Committee endorses in general terms the high opinion formed by the Commission of Enquiry in regard to the work of the Secretariat and the manner in which it has understood and carried out its duties.

We have taken into consideration the individual qualities and high standard of culture shown not only by the Directors, but by the great majority of the administrative staff.

We congratulate them and thank them for their unbounded faith in the great ideals of the League, their unremitting zeal in the execution of its designs and their unshaken confidence in its ultimate success. We consider that, in order to appreciate what is actually achieved, it is fair to bear in mind the difficulties inherent in any organisation, the personnel of which is of necessity recruited on an international basis, and which was called upon to set to work and forthwith produce results. We agree that it is difficult to see how what has actually been achieved could have been more speedily or effectively carried out.

We recommend with special urgency that, in the interests of the League, as well as in its own interests, the Secretariat should not extend the sphere of its activities, that in the preparation of the work and the decisions of the various organisations of the League it should confine itself to collating the relevant documents and the preparation of decisions without hazarding suggestions; finally, that once these decisions had been taken by the bodies solely responsible for them, it should confine itself to executing them in the letter and in the spirit, and should refrain as far as possible from interpreting them.

II.—SEAT OF THE LEAGUE.

The Fourth Committee has taken note of the statement of the Commission of Enquiry with regard to the high cost of living in Geneva.

We are of opinion that, as regards the choice of the town where the seat of the League is to be established, the realisation of possible economies is only one aspect of the question. For a problem of this kind is in our opinion governed by other and far more important considerations.

We consider, however, that all the evidence necessary for arriving at a reliable estimate of the cost of living in Geneva should be collected. We propose to entrust this investigation to the Salaries Adjustment Committee, the creation of which is dealt with later.

III.—THE MEETING PLACES OF THE COUNCIL, ASSEMBLY, COMMITTEES AND CONFERENCES AND EXPENSES OF MEETINGS.

The Fourth Committee, realising that the holding of the meetings of the various organisations elsewhere than at the seat of the League occasions both considerable expenditure and a temporary but profound disorganisation of the services of the Secretariat, recommends that the meetings of the Council shall normally be held at the seat of the League, and that, except on the rarest possible occasions, all Committees and Conferences held under the auspices of the League shall also meet there. We recognise that it is clearly desirable that the Secretariat should keep in the closest and most frequent possible touch with the principal countries, but we recommend that this contact should be established by means of individual journeys on the part of the Director of the Secretariat, and especially the Secretary-General and the Deputy Secretary-General.

IV.—INTERNATIONAL LIAISON BUREAUX.

The Committee adopts the observations and recommendations of the Commission of Enquiry as regards the organisation of international liaison bureaux in the great capitals in order to provide for the co-ordination and unification of relations of all kinds between the League of Nations and its organisations and the Government services in the principal countries. The economies in personnel, time and charges of the League which the formation of these national bureaux would make possible (the bureaux being, of course, organised by the individual initiative of the various countries and supported by their respective budgets) are both, from the material and moral points of view, so considerable that the Committee feels impelled strongly to recommend their establishment. Further, the establishment of corresponding national bureaux at the seat of the League, which appears eminently useful in the case of distant countries, must even more emphatically be left to the initiative of the nations interested.

The Committee considers that from the point of view of economy—which is our sole object—such an arrangement seems less necessary for certain less distant countries with whom liaison is both quicker and easier.

V.—OFFICE OF THE LEAGUE OF NATIONS IN SOUTH AMERICA.

The Secretariat has taken the step—which experience has shown to be justified—of establishing branch offices in Paris and London. These offices are controlled and paid for by the League of Nations, which differentiates them completely from the national liaison bureaux referred to above.

It has contemplated the extension of similar institutions, and its attention has been drawn in the first place to the utility of establishing one in South America. The Financial Director of the Secretariat has emphasised the notable economies, as well as the very appreciable simplification of communications which would be realised by the despatch of all documents, messages, and, above all, of all cablegrams, towards one central office which would undertake their redistribution.

No doubt the economy which would certainly thus be realised would not absolutely compensate for the fresh expenditure necessitated by the creation of this office. This creation would thus, on the whole, imply fresh expenses for the League; but the consideration of the moral benefit to be reaped appeared to the Committee by far to outweigh that of the material expenditure.

Having reassured ourselves that this innovation would generally correspond to the wishes of the States interested, we formally approved the principle, leaving the details of its execution to the Secretary-General, under the authority of the Council.

VI.—POSTAGE.

The Committee considers that the postal and telegraphic expenses, rendered heavier for the majority of States by the rate of exchange of the Swiss franc, which at the present time is high, constitute an extremely heavy burden on the Budget of the League. We recommend the Secretary-General to do his utmost, with the help of the Swiss Government, to obtain the greatest possible facilities.

VII.—STAFF.

(a) Salaries.

1. The Fourth Committee has formed the general conclusion that the absolute value of salaries and wages shows a high average. It has been found impossible to do otherwise than calculate it on the basis of salaries granted to the highest paid officials in the various States Members of the League, at the risk of seeing the Secretariat and the International Labour Office deprived of the services of the aforesaid officials, which would have been out of the question. Having formed this conclusion, the Committee considers that, in accordance with the opinion of the Commission of Enquiry, this average scale of salaries and wages is justified as compared with those obtainable elsewhere.

The Committee attaches to its Report (*see* Annex 1) a schedule of salaries which it considers reasonable for the various grades of the staff. This schedule contains, at least in the case of the higher officials (from Directors down to Members of Sections) figures slightly inferior in a descending scale to those given in the Report of the Commission of Enquiry. These latter figures themselves were already such as to make it possible to recruit members of the staff at somewhat lower figures than those which have been paid hitherto, and which must continue to be paid until the expiration of current contracts.

We consider that the figures proposed in Annex 1 are perfectly reasonable and will allow the retention of the services of the nationals of all States Members of the League. Moreover, they constitute their own justification as against criticisms which public opinion—when better informed—will, it is to be hoped, no longer direct against them. Further, the emoluments at the present moment granted to the Secretary-General and his assistants may in the future

and at the expiration of existing contracts be subjected to reasonable reductions proportionate to those which enabled us to arrive at the figures of Annex 1.

2. *A Salaries Adjustment Committee.*—The Fourth Committee adopts the proposal of the Commission of Enquiry to create a Salaries Adjustment Committee with the object of modifying from time to time the salaries of employees in accordance with the periodic variation of the cost of living. We approve the methods proposed to this end by the Commission of Enquiry for the constitution and duties of this Salaries Adjustment Committee. We consider that any recommendations made by this Committee must be submitted in the case of the Secretariat to approval of the Council of the League, and in case of the International Labour Office to the Governing Body, for their approval before they are put into effect. It is a matter of course that the aforesaid Committee must keep strictly within the limits the budget regularly voted by the Assembly.

3. *Choice between payment in Swiss francs or in Gold francs.*—The Committee has adopted the conclusions contained in the Report of the Commission of Enquiry suggesting the adoption of the Swiss franc, and it recalls the fact that the salaries figuring in the schedule of Annex I have been calculated in this currency.

4. *Expatriation.*—The Fourth Committee appreciated the fact that in the scale of salaries proposed by the Commission of Enquiry the factor of expatriation had not been overlooked, and we consider it reasonable that the Commission should have taken it into account.

5. *Income-Tax.*—The Fourth Committee, taking into consideration the unfavourable situation of certain officials of the League who are nationals of the States whose fiscal laws impose a tax on incomes and in particular on salaries and earned income, approves and adopts the suggestion made by the Commission of Enquiry that the Governments concerned should be approached with a view to inducing them to exempt all officials of the League of Nations, in respect, of course, only of their salaries from the League, from income-tax of any kind upon those salaries.

6. *Travelling Expenses, Subsistence and Entertainment Allowances.*—The Committee recommends that, as far as travelling expenses and subsistence allowances are concerned, travelling expenses should henceforward be paid exactly as incurred; that subsistence allowances should be calculated to cover not the total expenses of an official during his absence, but only the excess of exceptional expenditure that he incurs abroad as compared with his daily expenditure at home; finally, that these subsistence allowances should in no case be intended to meet any portion of out-of-pocket expenses which may be incurred in entertainment. As regards allowances payable to outside persons who may be called upon to take part temporarily in the work of Committees or Conferences, the Committee decides to fix the normal scale of their allowances at 70 gold francs per diem. If, however, the League has in exceptional cases need of the special services of a particularly distinguished personage, the Council must have full liberty to take appropriate measures in such cases as an exception to the general rule.

The Fourth Committee recommends the establishment of the entertainment fund proposed by the Commission of Enquiry. We consider that there is reason to establish this kind of "pool," which will be administered by one of the officials of the Secretariat specially appointed to ascertain the obligations incumbent, according to the particular case, either upon the officials of the Secretariat or the external members of the various Organisations of the League, and that this official should propose the allocation to the person concerned of such sums as may be considered suitable and charge them to the entertainment fund. The amount of this "pool" should not at the present moment exceed the total of the sums which certain high officials of the League have voluntarily surrendered. In this connection the Committee desires to express its gratitude to these officials for the grace and generosity of their action. It is a matter of course that any officials who may be appointed in the future will draw only the entertainment allowances recommended by the Commission of Enquiry.

The Committee recommends that all Members of the League of Nations should refer to the official especially appointed to administer the entertainment fund, requesting him to take all necessary steps for the accommodation of their representatives and officials, both for meetings of the Assembly and for those of the Committees, etc., in the city where the League has its headquarters; these representatives would be requested to give notice beforehand of their wishes and the approximate prices they would be willing to pay.

(b) *Conditions of Service.*

In accordance with the proposals of the Commission of Enquiry, the Fourth Committee considers it extremely important that definite terms of engagement should be established for the staff without delay and on the model of all great administrations—fixed conditions indicating its rights in concrete form and giving explicit information as to its obligations. Such terms would safeguard the staff from the very natural feeling of insecurity which tends to diminish efficiency by destroying confidence in the future, and to dampen goodwill and devotion to duty. The Fourth Committee urges that this reform should be promptly effected. We fully realise the difficulties involved in the drawing up of detailed regulations and conditions of service which have to apply to a staff of such varied nationalities and occupations.

We must therefore confine ourselves to stating certain principles and to drawing attention to certain recommendations which we consider essential. Beyond that, we consider that the task of working out details should be left to the responsible officials on the condition that they take prompt action.

1. *Selection of the Staff.* - As a result of the exceptional circumstances which governed the creation of the League of Nations, the staff was at first appointed almost exclusively by individual selection by the Secretary-General or by his principal officers acting in his name, in virtue of powers expressly conferred upon him by the Covenant. We have already testified our high appreciation of the quality of the present staff.

This system of recruitment, however, which was the only possible one in the initial period, must be replaced, as a general rule only to be departed from in very special cases where the necessity for such departure can be established, by that of "competitive selection." The Committee recommends that this selection should be carried out in accordance with the principles and according to the method laid down in Articles 42 to 54 of the Commission of Enquiry's Report.

The Committee lay special stress upon the great desirability, especially in regard to the higher administrative posts, of recruiting the staff of both the Secretariat and the International Labour Office as far as possible in equitable proportion from the various States Members of the League. It recommends that this principle should be carefully observed whenever fresh appointments may have to be made in the future, always bearing in mind, however, the necessity of obtaining competent officials.

2. *Promotion.*—The Fourth Committee recognises that the system of grading into classes and promotion within classes, and from one class to another, is bound to make for efficiency in the staff. The staff of the Secretariat should have reasonable prospects of promotion.

In this respect the Committee adopts in their entirety the views and suggestions contained in paragraph 43 of the Commission of Enquiry's Report.

3. *Engagement.*—(a) The Committee realises the difficulty of applying the principle of a definite period of engagement in the case of the Secretariat of the League of Nations, in spite of the fact that normally it is strictly necessary in organizations of this nature. Such an application of the principle would, no doubt commend itself to the existing staff, directing or subordinate, but it must not be forgotten that the very nature of the duties incumbent upon the Secretariat—its international character and its universality—prevent it from giving all its officials, without exception, a guarantee of permanent employment.

The Committee, however, is well aware that a guarantee of this kind is one of the surest factors making for the efficiency of any administrative staff, and that a tolerable measure of security is indispensable for the satisfactory accomplishment of the daily task. For this reason, we desire to put an end to the present feeling of uncertainty on the part of the officials of the League of Nations, and we have, therefore, carefully considered to what extent we could suggest that the normal system of long-term engagements should in future be applied.

(b) At present each official has entered into an individual contract with the Secretary-General. The contracts are of varying durations, and are in all cases limited to a maximum of five years. They may, of course, be cancelled for misconduct or inefficiency. They do not include any provisions against sickness or accidents, and do not carry pension or gratuity on retirement.

The Committee considers that it is desirable to class the officials and employees of the Secretariat in three categories, each of which require separate consideration:—

(c) 1. To the *higher official* it does not, in our view, seem possible to give long-term engagements. The international character of the League of Nations, and the legitimate desires of the Member States, render it essential that systematic changes should take place in the higher posts of the Secretariat in order to enable them to be filled by persons of any country whatsoever, who are of recognised importance and widespread influence among their own people, and whose views and sentiments are representative of their national opinion. This principle of frequent changes is essential to make the League a living force among the nations.

On the other hand, there could be no question of depriving the Secretariat of its leaders, just when the experience which they have gained by the study and solution of the various problems with which they may have to deal would be of most value. It is therefore clearly advisable that Members of the higher staff should serve for a sufficiently long period to enable their work to bear fruit, and that they should not be replaced simultaneously.

When this temporary difficulty has been duly met, a maximum period of seven years for members of the higher staff (Secretary-General, Deputy Secretary, Under Secretary-General and Directors) appears to be the correct solution.

In view of the considerable emolument assigned for these higher officers, we do not, in their case, recommend pension or gratuity on retirement.

In exceptional cases these officials may be reappointed.

(d) 2. *Subordinate Staff.*—At the opposite end of the scale is the subordinate staff, which may be divided into two classes: first those who are engaged in the purely manual

duties of any administration (attendants, messengers, charwomen, etc.). It appears reasonable that these persons should be recruited on the spot, which is the cheaper plan. They might be engaged for a definite period and in accordance with special local custom. In our view the second class should include duplicating, roneographic staff, etc. This part of the staff should be recruited on the spot, and should also be engaged in accordance with the normal conditions of Swiss administrative services, but provision should be made for promotion to the class above by means of competitive examination.

(e) 3. *Intermediate administrative personnel.*—Under this heading we class personnel whose work entails, in varying degree, intellectual attainments and a knowledge of languages.

Subordinate Staff (Class C).—We have placed in a class by itself (C) shorthand-typists, the subordinate staff of the Publications Department, of the Library and the majority of the staff of the Registry, etc. The specialised work of this personnel and its comparatively limited range do not lend themselves to the application of the rule of frequent changes. Its permanency should be secured under the best conditions possible, nor is there anything to prevent the rigorous application to this class of the three principles stated above, *i.e.*, appointment by competitive examination of a widely international character, annual increments, and long-term of engagement. These engagements might be made for 28 years (four periods of seven years) in cases of exceptional ability, with the possibility of advancement to the next grade (B) in cases of exceptional ability, or of appointment in the course of the 28 years, to staff posts (*i.e.*, heads of administrative departments and their deputies).

This personnel, which would thus be assured of a real career with the League of Nations, should be given the benefit of definite conditions of service, which would include a limited pension scheme and provision for sickness or other disability.

(f) *Members of Section and officers of Equivalent Grades (Classes B and A).*—These officers perform important duties. Under the direction of the higher staff they carry out all the intellectual and administrative work of the Secretariat. These require high educational qualifications and in the upper ranges demand very considerable capacity and qualities of initiative and resource.

We are of the opinion that the principle of frequent changes should only be applied to members of this grade of the staff—whose duties are of a diplomatic and political nature similar to those of the higher personnel—in cases where permanent officials can be detached from their national administrations for a definite period of service with the League without losing their rights of pension or promotion, or being troubled by doubts, so harmful to good work, as to their careers in their own countries. We recommend that steps should be taken to secure the loan of the services of such officials wherever possible.

(g) The Committee realises, however, that the employment of national officials cannot become the general rule. Moreover, there are certain posts which could not easily be filled by the permanent officials of the National Governments (*e.g.*, Information Section, Technical Experts, Interpreters, etc.), or which would invariably fall to such countries as possess highly organised civil services, a result which would be contrary to the spirit of the League.

There is the further consideration that, if the staff were drawn very largely from national administrations, it might suffer from a tendency on the part of the officials in question to be thinking always of the prospects of advancement in their own countries, and so being tempted to support in certain cases a specifically national, rather than the strictly international, point of view which characterises the League.

(h) For these reasons the Committee has finally adopted a general solution in respect of all persons of the staff belonging to this category, namely, long terms of engagement and no system of rotation.

Individual and specialised experience gained on the spot cannot but be of great value to the League.

(i) The Committee therefore recommends that, as a general rule, arrangements should be entered into for 21 years, fixing 55 as the age limit and dividing this 21 years into three periods of seven years with the bilateral right to terminate the engagement at the end of each of these periods.

N.B.—Consequently, any persons entering the service of the League when over 34 years of age could only be employed up to the age of 55, and any person entering at a lower age will be able to remain 21 years.

Present members of the Secretariat over 45 years of age who may be judged indispensable may be kept up to the age of 60 years.

(j) These provisions will afford sufficient security to members of the staff to enable them to devote themselves to their work without any anxiety as to their future, for only the hope of a definite career will attract them to the service of the League.

At the same time, the vacancies caused by retirement on completion of service, and by the resignations, which may be expected to be fairly frequent in a staff the members of which may at any time desire to return to their own country, should secure sufficient changes of personnel within the different sections of the Secretariat and satisfy the legitimate and natural desires of

the various States to have ample opportunities for sending a fair share of their nationals to the Secretariat.

(k) These are, then, the main lines on which the Committee recommend that the conditions of service of the staff should be drawn up. We understand that the Secretary-General wishes to prepare the conditions of service as soon as possible. We agree that this is most desirable, and we think that the members of the different grades might be asked to submit suggestions for consideration. Without prejudice to the indispensable principle of authority, it is essential that these conditions of service should be drawn up only after a thorough enquiry among the interested parties and that they should be in conformity with the wishes of the Secretariat as a whole.

(l) We consider that, when the conditions of service have been drawn up, the existing members of the staff should be asked to waive their present contracts in so far as they relate to conditions of service and to re-enter under the conditions of the new scheme. It is not, of course, intended to reduce the salary already authorised for any particular officer, unless with his own express consent in cases where a lower scale is laid down for future occupants of the post. It would, however, be well to recall here the generosity of the heads of departments who have spontaneously consented to considerable reductions in their emoluments.

Details of the salaries proposed for the various grades of posts are given in Appendix I. The scales there suggested are based on the assumption that the officials concerned will be called upon to make at least some contribution towards pension in the form of deferred pay.

The Committee has adopted the principle of a pension and deferred pay scheme and has decided that the League should contribute to the fund in a proportion to be determined later. It has further instructed the Salaries Adjustment Committee to prepare a detailed plan in this connection. This Committee will also examine the question whether it should take into account a proposal made suggesting that the fund should be administered by the persons concerned.

The Committee on Salaries will have to submit a report on this subject, which will then be submitted to the next Assembly, after having been communicated to the Members of the League three months before the meeting of the Assembly.

Pending final decision the Committee expresses the hope that the League of Nations will equitably and generously consider any request which may be made to it either as regards pensions, allowances or assistance.

VIII.—FINANCIAL CONTROL.

(a) The Committee considers itself bound by its terms of reference to pay particular attention to the system of control of expenditure which has been established in the Secretariat of the League of Nations. The measures to be taken in this connection fall into five divisions:— (1) Preparation of the budget and a Commission of Control, (2) Audit, (3) Financial year, (4) Form of the budget, (5) Disposal of balances.

1. *Preparation of the Budget and a Commission of Control.*—(b) In matters of finance the position of the Secretary-General of the League is at the present moment one of some difficulty. The peculiarities of his situation will best be illustrated by recalling the normal financial procedure in a Government Department. The responsible Minister at the head of a spending department has to submit his estimates for amounts of money which he considers he will require to enable him to carry out his policy during the next financial year to the Finance Minister, who conducts the most careful scrutiny into the demands made upon the national exchequer, and only passes such demands as he is prepared to defend in Parliament. In some countries the estimates, in addition, undergo close examination by a budget Committee before they are submitted to Parliament.

Whatever the precise method employed, the principle is the same, namely, that proposals for expenditure shall, before submission to Parliament, first be submitted to a careful scrutiny by a small body capable of giving expert advice, and entirely independent of the body which framed the policy involving the expenditure in question.

(c) In the opinion of the Commission, it cannot, therefore, be considered the most desirable procedure that the Secretary-General should submit his proposals for expenditure to the Council and the Assembly before they have been examined in detail by some such body as that indicated above, which is capable of subjecting them to expert and impartial criticism. It is a serious defect of the system as we find it that the Assembly should be without the benefit of such expert advice, and it is equally embarrassing to the Secretary-General that he should be without the opportunity of justifying his proposals in a more ample manner than is possible under the present system.

(d) We therefore recommend the creation of a Commission of Control consisting of three to five members, one of whom at least should be a special financial expert chosen by the Council at the request of the Assembly from among the various States Members of the League.

It seems desirable that the Members of the League other than those represented on the Council should be represented in this Commission.

The Commission should meet at the seat of the League once a year for the purpose of investigating in detail the budget of the League of Nations for the ensuing financial year. The date of the meeting should be so fixed as to give sufficient time for its report to be circulated to the States Members of the League, at the same time as the budget proposals, to which it would serve as a commentary. The Members of the League would thus be able to study the budget proposals in the light of the expert opinion of the Commission which had studied them on the spot, and would be in a position to instruct accordingly their representatives at the next meeting of the Assembly.

2. *Audit.*—(e) The arrangements proposed above seem to us to satisfy the broad principles which we have enunciated as to the examination of proposed expenditure, but there is another matter of almost equal importance in any financial system.

It is necessary that the Assembly which had voted a budget for certain definite purposes should be in a position to satisfy itself that the money had been applied to those purposes. To attain this end, it is necessary that there should be close co-operation between the Assembly and the persons appointed to carry out the audit. In default of such co-operation, the audit tends to become a formal matter directed to ascertaining whether expenditure is supported by vouchers, rather than to enquiring whether any particular item of expenditure has been duly authorised, and whether the intentions of the Assembly have been properly interpreted.

(f) We therefore recommend that the Commission of Control should, at each session, examine the completed accounts of the League for the past financial year as verified by the Auditors provided for in Articles 8 to 10 of the Assembly Recommendation, dated 17th December 1920, on the administration of the finances of the League of Nations. The preparatory examination would be carried out by the expert official referred to below [(paragraph IX (m))], who should report to the Commission any cases in which expenditure was unsupported by vouchers, and more particularly any case in which expenditure appeared to have been wrongly or irregularly authorised.

It is particularly necessary that this Commission should examine all cases in which a decision of the Financial Director may have been overruled by written directions from the Secretary-General, whether or not acting on instructions from the Council. To attain this end, it will be necessary that the Commission of Control should have power to call upon officers of the Secretariat to appear before them and explain the circumstances attending any exceptional or extraordinary expenditure.

It goes without saying that the control—especially the financial control—of this Commission will at the same time extend to an investigation of the question whether all the rules and administrative or other principles formulated in the present report have been scrupulously observed, and that it will also apply to the International Labour Office.

3. *Submission of the Budget.*—(g) The Committee desires to examine specially, in connection with the financial control, the form in which the budget is to be submitted.

Up to the present the task of the Financial Director in estimating the total expenditure that will be required by the League to meet totally new developments has been one of great difficulty, and it has not been found possible in many cases to make any detailed apportionment of the items of the proposed expenditure of the League under a specific head, *e.g.*, meetings of Conferences. Yet the detailed study of the individual items composing a budget is the only road to economy, and the only method of ensuring proper financial control. Now that the Financial Director has gained so considerable an experience of most of the requirements of the League, on which a detailed estimate can be based, we suggest that the items of the budget should in future be sub-divided more than has hitherto been practicable.

(h) Further, we consider that it is desirable that a full comparison should be given in the budget between the expenditure in the current and forthcoming financial years, as regards not only the total expenditure on each item, but also the numbers of staff employed in each grade and the salary of that grade. In these matters the estimates presented to the British House of Commons would appear to be a suitable model, which might be followed by the League of Nations.

We also consider that the expenses incurred on behalf of the Technical Sections should be grouped together in such a manner as to show the total expenses of each Technical Section on staff, travelling expenses, subsistence allowances, postages, publications, etc., including all expenditure incurred in connection with the Technical Committee and Conference which are served by the Technical Section in question. We have made certain detailed suggestions to the Financial Director, who has been able to prepare the budget for 1922 on these lines, and we are satisfied that the requirements indicated above will be fully met.

(i) We have, moreover, recommended that the staff should be paid in Swiss francs. After very careful consideration of the many issues involved in this intricate problem, we are of the opinion that the gold franc, as being the most stable monetary unit the world over, should be retained as the unit of account for the purpose of assigning contributions. This, of course, will involve expressing the total income and expenditure of the League in gold francs, but it does not follow that the detailed expenditure under the various heads need also be so

shown. If it were, it would be impossible to make any exact comparison. For instance, a fixed annual expenditure of, say, 5,000 francs (Swiss) might give different figures from year to year when expressed in gold francs.

(j) At the present time, the detailed accounts are kept in gold francs, a special officer being required to convert the everyday expenditure in Swiss francs into gold francs at the current rate of exchange.

In our opinion, this procedure is hardly necessary. We recommend that the detailed accounts should be kept in Swiss francs, and that the detailed items in the budget should be shown in Swiss francs. The totals of the votes only should be converted from Swiss francs into gold francs for the purpose of balancing the estimated revenue and expenditure of the League*.

(k) The rate of exchange at which this conversion should be made is a matter of some difficulty. In normal circumstances it should be made at par, and there is considerable force in the contention that this course should be followed even at the present time to avoid any element of exchange speculation. This, however, would at the present time involve the payment of higher contributions from the States Members than they would normally be called upon to make. We consider that the right course is to make the conversion in the budget from year to year at an arbitrary rate, calculated to allow a reasonable margin, and to show the actual results of the conversions effected in an exchange conversion account.

4. *Disposal of Balances.*—The question of the disposal of the balance of revenue over expenditure at the end of the financial year has been brought to our notice. We consider that the course which should be followed in normal times is that such balance should be brought forward into the account of the ensuing financial year, the contributions from the different States Members being reduced accordingly.

The practice hitherto has been that any balance at the end of the financial year has been appropriated to the Working Capital Fund. We see no objection to this procedure, in so far as it has been followed during the early organisation period, but we consider that such appropriations, if made in the future, should first be approved by vote of the Assembly. We consider, further, that if this procedure is to be maintained for the present, it would be desirable that the total of the Working Capital Fund, a part of which, proportionate to its budget, might be at the disposal of the International Labour Office, should be fixed.

A separate Working Capital Account should be annexed to the budget, showing any advances made in respect of over-due contributions, advances made to administrative Commissions, etc., and the reimbursements received in respect of such advances within the past financial year.

IX—ORGANISATION.

(a) As stated at the outset of this report, we have been very favourably impressed by the measure of the success which has so far been achieved in the organisation of the Secretariat, an organisation which has had to be constructed on novel lines in order that it might fitly perform the international duties entrusted to it. It is not necessary for us to emphasise the importance of these duties or the fact that few organisations have ever been called upon at so short notice to undertake a task of such complexity and difficulty.

(b) It appears to us, however, that, while the salaries hitherto paid to what may be called the founders of the new system have been justified, it should be possible, now that the strain of the initial period of organisation is beginning to pass, to effect certain economies in the staff of the higher personnel, as a result of the experience which has been gained.

After careful consideration of the degree of responsibility which is likely to devolve upon officers of the different grades of the Secretariat, we have come to the conclusion that it should not be necessary to appoint more than one Deputy Secretary-General and one Under Secretary-General to assist the Secretary-General in the work of general control.

It goes without saying that we make this recommendation with regard only to the important economy which would be realised by the suppression of one of the two posts of Under Secretary-General. It is true that we are also of opinion that, from an administrative point of view, a new organisation which included only one Under Secretary-General solely responsible for the interior organisation and permanently employed at the Secretariat would be from the point of view of efficiency, at least as satisfactory as the present organisation.

We have had to consider the question as to whether the organisation of the Secretariat is sufficiently far advanced to allow the reform to be carried out at the first opportunity, in fact immediately. We consider that this is so.

*In the case of the International Office, the Budget and Accounts will be presented to the Secretary-General expressed in Swiss francs only.

Other considerations of considerable weight but of quite a different nature have been brought to our notice, having reference to the important principle that the various nationalities shall, as far as possible, be represented in equitable proportions on the Secretariat and above all, amongst the Directors.

We felt that, under our terms of reference, we were bound to regard the question entirely from the economic and administrative points of view; and have declared ourselves in favour of the immediate realisation of a reform which circumstances have now rendered possible.

(c) It appears to us that the functions of the Secretary-General and of his Deputy may, broadly speaking, be defined as comprising:—

- (1) The general direction of the work of all the sections in so far as policy and the taking of decisions upon important questions of principle are concerned.
- (2) Close personal contact with the Assembly and with the Members of the Commissions and Conferences meeting under the auspices of the League. These meetings are, of course, the very life of the League. Without them the Secretariat would be a mere engine without impulse thrashing chaff in the void. The primary duty of the Secretary-General as representative of the Secretariat is therefore to centralise and co-ordinate its efforts, to keep all the Committees and Conferences in mind of the general policy of the League, and thus help them to arrive at decisions which are in harmony with the lofty aims of which the League is the conscious expression.
- (3) The maintenance of close relations with the important political centres of the world—a duty which, as we have already said, involves, at any rate in so far as Europe is concerned, frequent and prolonged absences from the seat of the League.

(d) It appears to us that the Secretary-General and his Deputy have hitherto in an excessive degree been over-burdened with questions of interior organisation, discipline and routine, which have involved, *inter alia*, in the case of the Secretary-General, his almost continuous presence at the Headquarters of the League, and that it is essential in the general interests of the League that they should be relieved as far as possible from all responsibilities of this nature.

(e) We therefore suggest that all headquarters routine business should, subject to the final approval of the Secretary-General, be assigned to the Under Secretary-General. The latter would thus be placed in permanent charge of all matters connected with interior organisation and finance, discipline, staff questions and routine. He would also supervise those sections which properly belong to what may be called the machinery of the Secretariat and concern its working as a whole, as, for instance, the service of the translation, preparation and publication of documents, and the service of distribution.

This would leave the Secretary-General and his Deputy free to concentrate all the reins of policy in their hands, to supervise the work of the Directors, while leaving to the latter a large initiative so far as the administration of their various departments is concerned.

(f) The Secretariat might thus be grouped into a series of international organisations, established in accordance with the terms of various Articles of the Covenant, each driving wheel, as it were, of the machine being responsible to its own Commission or Conference and to the Secretary-General; preparing its own budget, after consultation with the Secretary-General and the Committee concerned, for submission by him to the Council and the Assembly, on the understanding, of course, that the regulations and scales of pay for their staff, would follow the general lines prescribed for the Secretariat as a whole.

(g) The Technical Committees and Conferences would thus correspond in miniature to the Council and Assembly of the League itself. Each of the Technical Sections would become a small Secretariat under a Director with semi-independent functions working in connection with his own Committee, and preparing the full working material for his own Conferences under the general directions of the Secretary-General and using the general machinery of the Secretariat.

(A) We suggest, for instance, that these Sections or sub-Secretariats might be organised as follows:—

- (1) Section of the Economic and Financial Commission;
- (2) Transit Section;
- (3) Section of Public Health, which would be responsible for all social questions and for the proposed international legislation for the control of the Traffic in Opium and other dangerous Drugs;
- (4) Political Section;
- (5) Section of the Administrative Commissions and Minorities and Mandates, that is, a combination under one Director of the work at present done by two separate Sections;
- (6) Press Section.

Should the Council see fit to retain a seventh Director for the time being, it would have the right to do so. To the Sections we would add a Legal Adviser's Branch, which, in addition to giving legal advice to the Secretariat as a whole, would act as a channel of communication between the Secretariat and the newly-constituted Court of International Justice.

(e) We have given much attention to the number of officers of the grade of Director shown upon the present establishment, and to the rate of salary now paid to these officers. The present rate is a high one, even allowing for the ultimate reduction which we propose, as shown in Appendix I, and we feel some doubt as to whether it should eventually be necessary to retain the present number of officials paid at this rate. If the above proposals are adopted, we wish it to be understood that the scale of salary which we recommend for Directors is suggested only on the understanding that the number of Directors will not ultimately exceed six, unless new developments take place justifying an increase in the number.

(f) It will be seen from Annex 1 that we have recommended the creation of a new grade, that of Chief of Section. This grade is intended to provide for the case where there is work of considerable importance to be undertaken which would normally be assigned to a Director if he were available to take charge of it, but where, because of its temporary character, or for other reasons, although an official with special technical qualifications is needed, the services of a Director are not required.

(k) We have not thought it advisable to give any precise indication of the number of the Chiefs of Section or of the proportion of the more costly Members of Section, Class A, to the less costly Members of Section, Class B, nor do we think that it will ever be possible to do so. The work of the Secretariat will undergo constant change; while some branches of its activity may be temporarily on the increase, other branches may be expected to bring their work to a conclusion within a definite limit of time, with the result that the staff required in these branches may at any time be reduced or altogether dispensed with, those who are members of the permanent staff being transferred to other branches. But it is obvious that if the establishment showed a number of the more highly paid posts out of all proportion to the lower, the scales which we propose would not make for economical administration. We therefore insist that, in preparing his budget for any given year, the Secretary-General must bear constantly in mind the necessity for economy and recommend only such promotions to the higher ranks as are really required in the interests of the work*.

(l) *Work of the Sections.*—We have examined the statements and proposals of the Commission of Experts as to the conditions under which the work of each Section is carried out.

As regards the Library, the Registry, the Publications and Information Sections, the subordinate services, the supplies and furniture, and the restaurant, we are in full agreement with the Commission of Enquiry, and we venture to draw the attention of the Assembly to those parts of the report of that Commission which deal with the six questions concerned (pages 23-26 and 64-67, paragraphs 85, 86, 87, 92, 93, 95, 96, 97, 100).

We propose that the Assembly should, like ourselves, declare its agreement with the proposals and recommendations included in these nine paragraphs.

(m) We consider that particular stress should be laid upon the Financial Director's Department.

The Secretariat possesses a currency conversion officer. The changes which we have recommended as to the payment of salaries in Swiss francs and the keeping of the accounts of the League in the same currency permits a saving to be effected by the suppression of this post.

The Appropriation Officer is responsible for insuring that proper provision exists in the budget, in the form of corresponding credits, for each payment, before payment is actually made by the accountant.

We understand that the purpose for which this post was created was to ensure that expenditure was in complete conformity with the provision made in the budget: we consider that this post should be maintained, but, as a consequence of the creation of the Commission of Control, it is clear that in future this officer will receive his instructions from the Commission of Control, and will be responsible to it for any expenses incurred without vouchers or without authorisation.

With regard to the organisation of work, we think that it would be advisable in the near future to organise the routine work of the Finance Section into three sub-sections, corresponding to the technical organisations, the Establishment Section and the Printing and Publications Section respectively. The accountant of each sub-section, who would be responsible for checking all bills before payment and for the preparation of salary-lists and cheques, would also collaborate in the compilation of the budget estimates for their respective sub-sections.

*It is hardly necessary to state that the same observations apply to the International Labour Office. The scales proposed for the Chiefs of Division of the International Labour Office are lower than those suggested for the Directors of the Secretariat. These scales have been proposed advisedly, and it follows that the same sparing use for Chiefs of Section should be made in that Office as is recommended in the Secretariat.

We consider that the present procedure of closing accounts at the end of the financial year, and paying outstanding bills out of similar appropriations for the following year, should be continued; arrangements should, however, be made to secure that orders for payments outstanding for three months should lapse automatically. A special form for orders for payments would be sufficient for this purpose. Such a system would facilitate and hasten settlement of accounts.

(n) We consider that it might be desirable, in accordance with the recommendation of the Commission of Enquiry, to combine the work of the Translators and Interpreters Section with that of the Precis-writing Department. This would result in giving the staff of the combined section more variety in their work and would also provide greater elasticity especially at times of pressure. We desire to place on record a statement, which is purely objective, since it is not within our competence to alter the Covenant, that at least one-third of the internal expenditure of the League arises from the compulsory use, prescribed by the Covenant, of the two languages French and English in all official documents.

This statement is not without value in view of the hypothesis that the employment of another language, natural or artificial, is said to be contemplated in some quarters.

(o) A very interesting observation on the part of the British Delegate has drawn the attention of the Committee—which in its turn feels bound to draw the attention of the Assembly—to the differences, sometimes considerable, existing between the French and English texts of documents furnished by the Secretariat. This difference is particularly marked in the provisional verbatim records of the meetings of the Assembly and of the Committees. The explanation of these differences is clearly to be found in the speed with which the Secretariat is compelled to satisfy the demands of journalists for information.

It was suggested, at the Committee, for example, that for next Assembly the procedure adopted in certain Parliaments might be followed with advantage, especially the rapid publication of an analytical verbatim record, followed at 24 or even 48 hours' interval by the stenographers' report of the debates after the proofs had been corrected by those interested in the matter in hand.

We wish, in any case, to draw the attention of the Secretariat to the necessity for obtaining closer agreement of the English and French texts of all documents furnished by it.

(p) As regards the employment of women in the services of the League, we recognise the justice of the rule laid down in the Covenant that all positions under or in connection with the League shall be open equally to men and women.

We would only wish to draw attention to the difficulties which might arise from the employment of husbands and wives, at least in the same branch of the office.

We welcome the appointment already made of two ladies of proved experience, who may be consulted by the Secretariat on women's questions generally, especially on matters of discipline, and questions of health, morals and welfare.

Vague proposals have been made to the effect that women employed should be compelled to wear a uniform, or at least to dress in dark colours.

A rule of such unpleasant severity seems veritably uncalled for and ill-timed, for the radiant charm of a discreet elegance as displayed in feminine attire creates an atmosphere which is wholly delightful and is far from impairing the quality of the work undertaken in common.

(q) As regards the hours of work and leave, we recommend that the working week should be 42 hours a week with a half-holiday on Saturday when the state of work permits.

Whenever possible, time in lieu should be given to the subordinate staff as compensation for overtime, and overtime should not be claimable except for an attendance which exceeds 44 hours a week.

We recommend that an attendance book should be kept for officials of all ranks without exception.

Sick leave on full pay, and after the expiration of a certain period on half pay, should be granted to the staff under regulations similar to those generally in force in public administrations. We are satisfied with the rules already in force with regard to regular leave.

It has been brought to the notice of the Committee that existing regulations concerning leave demand that officials proceeding on annual leave should do so at their own expense. We consider that we should be justified in recommending that the Assembly might fairly confer on the staff the privilege, which would be much appreciated, and relatively inexpensive, of one journey home a year at the cost of the League: provided that this advantage should not be conferred upon members of the staff who have the opportunity during their regular service, and at the expense of the League, of returning home during the current financial year and to spend their normal period of leave there.

Outside the limits of Europe, it would probably be necessary, owing to the far greater cost involved, to give this privilege only once in every two, or, in the case of the most distant countries, every three years. Apart from the fact that it is obviously desirable that members of an international staff should be encouraged to keep in touch with their own nationals, the privilege

of returning home at least once a year would have certain advantages in view of the high cost of living in Geneva, which has often been impressed upon us. In particular, it would enable members of the staff to buy their clothing and personal necessities in their countries of origin. This would relieve them of the necessity of purchasing such articles in Switzerland at prices which are said to be higher than those in their own countries.

PART II—INTERNATIONAL LABOUR OFFICE.

I—GENERAL OBSERVATIONS.

In Part I of this Report we have made certain observations of a general nature which apply to the International Labour Office no less than to the Secretariat.

But there are certain adaptations and modifications in respect of their specific applications to the International Labour Office which now require to be stated.

Before submitting these considerations which refer especially to the International Labour Office, we venture to draw attention to paragraphs 104—111 (pages 27 and 28, 68 and 69) of the Commission of Enquiry Report, in which are summarised the principles of the International Labour Organisation and of its three divisions: the General Conference, the Governing Body, and the International Labour Office.

Generally speaking, we prefer the observations, for the most part of a favourable nature, made by the Committee of Enquiry with regard to the lines upon which the International Labour Office has, up to the present, been conducted.

We agree that attention should be drawn to the dangers which accompany any excessive diffusion of energy and to the fact that it is essential for the International Labour Office, in its own interests and for its own welfare, to maintain the objective impartiality which is the only reasonable standpoint of an organism whose principal, if not sole, duty lies in the accumulation of the most complete, definite and universal information on all labour questions. It is fair, however, to state that the Commission are fully satisfied that the International Labour Office has hitherto made every endeavour to confine its enquiries and activities within the proper limits, and, above all, to keep in close touch with the Secretariat and the various technical organisations that have been set up in the League of Nations. It seems clearly desirable that the International Labour Office should adhere to this line of conduct.

By reason of the fact that its duties are clearly marked and their application well defined, the organisation of the International Labour Office has been able to be carried out with greater speed and facility than that of the Secretariat, which had to deal with a great number of different subjects, ranging from questions of the most technical nature to political problems of the widest kind.

The duties of the International Labour Office, as understood and carried out by it, can be defined broadly as follows; the collection of accurate information and statistics about labour problems on an international basis; the preparation of detailed material which shall lead up to the International Labour Conventions and the following up of the application of the International Conventions by the various national legislatures.

It is only fair to recognise that the International Labour Office has, in a short period, been able to attain a high state of organisation and efficiency.

We have noted the observations contained in the Report of the Commission of Enquiry to the effect that the staff is able, hard-working and enthusiastic, and that, inspired by the overflowing energy and remarkable personal magnetism of their distinguished Director, and recruited with the greatest care, they possess to an unusual degree—whether in the administrative or in the more highly specialised sections—the qualities required.

II—STAFF.

(a) *Recruitment and Conditions of Service.*—We are of the opinion that, generally speaking, the decisions which were formerly arrived at, as regards the conditions of service and recruitment of the Secretariat, can be applied also to the International Labour Office. They may be summarised as follows: The posts of Director and Deputy Director should be filled by appointments from outside the office; the subordinate personnel should be recruited locally; the staff of the intermediate grades should be recruited internationally, and should be given long-term engagements. Proportional representation, as far as possible, of the different nationalities on the staff of the International Labour Office is of the greatest importance. Efficiency should, however, be the prior consideration, since the staff must be highly trained and specialised in all questions with which it has to deal before being able to attain the maximum efficiency.

As regards the method of recruitment, the general principles recommended for the Secretariat may be applied with advantage to the International Labour Office.

(b) *Salaries.*—The general observations which we have made relating to the salaries of the staff of the Secretariat may be taken as holding good in the case of the International Labour Office with certain qualifications. We recommend that the scale of salaries in Annex 1 should be adopted for this staff.

The Committee has, however, decided to refer to the Salaries Adjustment Committee the question of whether an intermediate scale of salaries should be fixed, as the International Labour Office proposes.

(c) *Subsistence Allowances and Frais de Représentation*.—We consider that the rates recommended for adoption in the Secretariat, and set out in Annex 3, should also be adopted for the officials of the International Labour Office.

We would also recommend that the question of the *Frais de Représentation* should be taken up and decision arrived at on the lines laid down in paragraphs 37 and 39 of the Report of the Committee of Enquiry.

III—FINANCIAL CONTROL.

We consider that the principles underlying the arrangements which have been proposed in Part I of this Report, as to the control of expenditure of the Secretariat, should apply equally in the case of the International Labour Office.

In submitting this view, we have taken into full consideration those articles of the Treaties which have some reference to the financial control of the International Labour Office. We consider, however, that it is essential that the Assembly, which is called upon to vote the funds required for the support of the International Labour Office equally with the funds for the support of the League as a whole, should be afforded the same opportunities of controlling the expenditure proposed by the Governing Body of the International Labour Office as we have suggested should be afforded in the case of expenditure of the Secretariat of the League. Owing to the constitution of the International Labour Office, it may, however, be necessary to make certain modifications in the procedure to be adopted.

The present procedure is as follows: The budget of the International Labour Office is first submitted by the Director to the Finance Committee of the Governing Body: and, after approval by the Governing Body as a whole, is transmitted to the Secretary-General of the League for inclusion in the general budget of the League.

It might be objected to the proposal that the budget of the International Labour Office should be discussed again *de novo* by the Commission of Control, that, as 12 Governments have official representatives on the Governing Body, the Governments of the States Members have already had some opportunity, through the agency of their official representatives, of criticising the budget proposals.

This objection, however, seems to us to impose an altogether unfair responsibility on the official representatives of the Governing Body who may be selected primarily for their experience in labour matters and not as financial critics.

Nor does it provide for any adequate criticism by representatives of the Assembly. •

We suggest that the position of the Governing Body of the International Labour Office in regard to finances would be more amply safeguarded if four of its members were appointed to meet the Commission of Control to discuss and explain the budget proposals for the ensuing financial year and also to appear before the Fourth Assembly Committee. Two of these representatives should be chosen from among the Government representatives, one from the employers' and one from the workers' representatives. In addition, it might be left to the Governing Body, if they thought fit, to ask that the Director or his Deputy should be allowed to accompany this body as an additional member. We suggest that it would be advantageous that one of these representatives, appointed by the Governing Body, should be accorded the privilege of appearing in the Assembly when the Budget of the International Labour Office is discussed by that body since the discussion of proposed expenditure is bound to be unfruitful unless accredited representatives of the responsible authorities are afforded this opportunity of defending their proposals in person.

Consequently, we propose that the Governing Body of the International Labour Office may send one representative to the Assembly when the budget of the International Labour Office is discussed. This representative, selected by the Governing Body, may speak in the Assembly at the President's invitation, in an advisory capacity. The representative this year will be the *Rapporteur* for the budget or the President of the Governing Body.

We consider that the arrangement proposed for the audit of the completed accounts of the League should apply to the International Labour Office without modification.

IV—ORGANISATION.

We have already given reasons why the task of building up the organisation of the International Labour Office has been in some respects easier than the corresponding task as regards the Secretariat.

We do not, however, wish this observation to be allowed to detract in any way from our opinion that the organisation of the Office has been brought to a very high state of efficiency—a fact which will cause no surprise to those who recall the past triumphs of the present Director in the field of organisation.

The Director has received very able assistance in the matter of organisation from the Deputy Director, who is responsible for the control and arrangement of the internal services of the Office.

We have no criticism to make of the manner in which the accounts are kept, or of the general financial arrangements, except that we would suggest that rather more detail might be given in the budget on the general lines indicated in Part I of this Report.

Offices of the International Labour Office.—We have been informed that the International Labour Office has contemplated the possible purchase of the building which it at present occupies.

We have requested that a Sub-Committee should be appointed to enquire into this matter and to express an opinion upon it.

The results of this enquiry, which are fully accepted by the Fourth Committee, are as follows:—

(1) It is not desirable that the International Labour Office should take any steps in the matter of purchase until a definite decision has been reached with regard to the permanent adoption of Geneva as the seat of the League. It is to be hoped that this decision will be reached before next Assembly.

(2) It is clearly desirable that the International Labour Office should own the building which it occupies in whatever city is chosen as the permanent seat of the League.

(3) In the meantime it is preferable to lease the buildings.

(1) The Governing Body of the International Labour Office should be authorised to expend, during the next 12 months, a sum not exceeding 10,000 or 12,000 Swiss francs for the purpose of renting a building in the neighbourhood of the building now occupied and of carrying out certain improvements and alterations.

Organisation of Sections.—In accordance with our terms of reference, we propose to make certain observations on the organisation of the different Sections of the Office, but these observations refer, in general, more to the lines of the future development of the Office than to any specific alteration which might be immediately undertaken.

(a) *Cabinet.*—The cabinet system has made it possible for a very high degree of centralisation to be carried out in the administrative work of the Office. Without that system the Director could not have kept himself informed of the many important phases of development in the work of the Office as it grew up, nor would he have been able to maintain direct and personal touch with Governments and important organisations throughout the world. There is no doubt, therefore, that this highly centralised system has been helpful in the organisation period of the International Labour Office. It is, however, undeniable that the cabinet system is bound to diminish, to some considerable extent, the responsibility of the Chiefs of Divisions.

We would like to record our opinion that it may be desirable at some future date, when the work of the International Labour Office has attained greater stability than at present, and when the need for centralisation is less urgent, to give increased responsibility to heads of Divisions with advantage to the general working of the Office.

(b) *Allocation of Work to three Divisions.*—At present there are two main Divisions, exclusive of the central services, which are under the special charge of the Deputy-Director—the Diplomatic and the Scientific Divisions.

Before making such observations as occur to us on the work of these Divisions, we would suggest that the co-ordination between these Divisions and Technical Sections is not sufficiently close if considered as a permanent form of organisation. Concentration is not necessarily centralisation, and we suggest that, as opportunity occurs, every effort should be made to attach the work of the Technical Sections more definitely to that of the Divisions. Such a development would seem to indicate that the main work of the Office should be re-grouped into three Divisions, each under a head of Division.

The first would deal with the diplomatic work, *vis.*, the execution of the decisions of the annual conference, and of the commissions arising out of that conference, as also with International Conventions and the task of carrying on negotiations with the various Governments and preparation of work for future conferences.

The second Division would deal with Research, and it would be in this Division that the majority of the Technical Section would be incorporated, the work of the Division being generally to undertake the technical preparation required for the work of the Diplomatic and Publications Divisions.

We think it would be desirable to constitute a third Division for the publication work now assigned to the Scientific Division.

(c) *Technical Sections.*—In the preceding paragraph the Committee has suggested attaching certain technical sections to the Scientific Division, while other technical sections would be attached to the present Diplomatic Division.

The only general observation which the Committee wishes to make about the work of this Section is that it considers it of great importance that the practical end in view should be constantly borne in mind.

Although the method of work employed by the staff of the suggested Research Division would be analogous to that of a research worker, it would suggest that out of the almost limitless field for possible enquiries the International Labour Office should, in these early stages of its

formation, prefer enquiries on such subjects as are likely to lead to legislation within the next few years to what might be termed "sounding" enquiries of a general nature, however tempting such researches may be to the general study of industrial and labour problems, and whatever interest they may have possessed in the past from an ideal point of view. The Committee notes with satisfaction that the policy of the Governing Body and of the Director of the International Labour Office has generally conformed to this principle.

(d) *Scientific Division*.—We have suggested above that the work at present performed in the Scientific Division might be divided into two parts.

One part would be assigned to a new Research Division to which the Technical Sections would be attached, while the other would be assigned to the Publications and Intelligence Division devoted to the collection and dissemination of intelligence and to producing the publications of the Office.

To this Division we should also assign the record of labour legislation, the Library and the very important work of the Statistical Section. The latter section is at present understaffed and the Committee considers that it might usefully be strengthened.

The collection of information is for the double purpose of keeping the staff of the Office informed of events which affect their work as a whole, and of collating material concerning labour questions—a task of international interest. This function of the International Labour Office is prescribed by Article 386 of the Treaty of Versailles.

The Committee considers, however, that steps should be taken to ensure that the collection of information and the compilation of statistics shall be carried out in close co-operation with the national Governments.

Most of the Labour Ministries of the world now include an Intelligence Section, which studies labour questions abroad. There would thus seem to be a promising field for economy if the national Government Offices concerned could rely on the International Labour Office for all information and statistics relating to labour questions in countries other than their own, and confine their researches to the national aspect only of such questions.

The information thus supplied by the national Government would be codified by the International Labour Office, which in this manner would serve as a clearing-house of intelligence and statistics and relieve the national Governments of the difficult task of collecting information regarding the conditions prevailing in foreign countries.

The Committee appreciates the great importance of the work which the International Labour Office is undertaking in the establishment of a uniform system for the preparation and compilation of statistics. It considers that the relations established in this respect with the Economic and Financial Section of the Secretariat should become closer. The functions of the International Labour Office in this respect should, therefore, be limited to matters of industrial as distinguished from economic interest.

(e) *Daily Intelligence*.—The attention of the Committee has been called to the *Bulletin* printed daily in the International Labour Office and circulated by post throughout the world. It has ascertained that the cost of printing and publishing this *Bulletin* alone, not including the cost of postage, amounts to no less than 120,000 gold francs a year. It considers that the *Bulletin* is scarcely useful enough to justify an expenditure on this scale.

It would recommend that its publication, apart from Conference periods, should be normally limited to a weekly or a bi-weekly issue, considering that the information supplied therein is not of such importance that it need be published every day. Among other advantages this would permit of the contract for printing being placed elsewhere than at Geneva, for instance at Lyons, where printing rates are lower.

In view of the length of time before the *Daily Intelligence* is received by its readers—particularly in the more distant countries—the Commission would suggest that its contents should be limited to matters of permanent international interest, and should not deal with current events of an evanescent character, which the Press is certain to bring to the notice of the general public and of persons specially interested.

(f) *Library*.—The International Labour Office has, in the opinion of the Commission, done well to purchase the Library of the International Labour Association of Basle. It thinks it is clearly right that the International Labour Office should carry on the work of the Basle Library, and gradually build up a collection of literature on subjects affecting the work of the Office, and it has no fault to find with the choice of books bought. It is, however, essential that great care should be exercised to avoid overlapping with the Library of the Secretariat. The Committee, however, is inclined to think that the organisation of the Library has been framed on rather too ambitious a scale. When once the task of cataloguing the Basle Library has been completed, it should be possible to effect reductions in the staff of the Library, which at present numbers 14.

In connection with the observations on the organisation of the work of the various sections of the International Labour Office, the Committee is of opinion that the Director would be left some latitude in the application of proposals dealing merely with points of detail.

Finally, the Fourth Committee has paid the Commission of Enquiry the most valuable tribute it could hope for by adopting almost all its suggestions.

The President of the Commission of Experts ventures to thank the Fourth Committee on his own behalf, on that of his Colleagues and especially on behalf of Colonel Johnson, whose personal labours were a decisive factor in the achievement of a fruitful and efficient work.

The Fourth Committee has doubtless suggested many reforms, from which it expects, together with an appreciable reduction in expenditure, results at least as great and even greater than in the past from the work of the two principal organisations of the League.

In conclusion the Committee would, however, repeat what it said at the beginning of this report, that the League of Nations should, on the whole, be very grateful for the work already done and the results obtained by the staff of its Secretariat and especially by its higher officers.

SUMMARY OF SPECIFIC DECISIONS TAKEN BY COMMITTEE NO. 4.

1st Meeting.—Nothing.

2nd Meeting.—The Committee agreed that the question of the cost of living in Geneva should be referred to the Salaries Adjustment Committee mentioned in the Report of the Committee of Experts, the question of the seat of the League being expressly excepted from this reference.

“Considering that the question of the seat of the League is not governed exclusively by financial considerations, the Committee, in taking note of the opinion expressed in the Report of the Committee of Experts regarding the cost of living in Geneva, which is referred to a special Committee for investigation, leaves the question of the seat of the League to be considered elsewhere.”

3rd Meeting.—Any recommendations by this Committee (Salaries Adjustment Committee), must be submitted to the Council (or, in the case of the International Labour Office, to the Governing Body) for their approval before they are put into effect. These conclusions must, however, conform to the budget formally voted by the Assembly.

The Committee agreed to fix a formal rate of 70 gold francs per day for the members of fixed Committees, such as the Financial Committee, which assembled at Geneva or elsewhere periodically to give their assistance to the League. If, for some purpose, the League required the special services of some eminent person, the Council should have liberty to make special arrangements.

4th Meeting.—The total of this fund (Entertainment Fund) should not exceed the total amount of entertainment allowance surrendered by the higher officials of the League.

The Committee recommends that all members of the League should entrust the reservation of accommodation for their representatives and officials visiting Geneva, to the expert official referred to in paragraph 38 of the Report of the Committee of Experts, informing him in good time of the accommodation required, and of the approximate price they are prepared to pay.

It is exceedingly desirable, especially in the higher administrative positions, that the Secretariat of the League of Nations and of the International Labour Office should, as far as possible, be recruited in fair proportion from the various States Members of the League, and that this principle should be carefully borne in mind in filling future vacancies, regard being always had to the requirements of efficiency.

5th Meeting.—These officials (Directors) may, in exceptional cases, be reappointed.

The Committee agreed to maintain the period of engagement at 21 years, as recommended by the Committee of Experts, but agreed to fix the age-limit at 55 years instead of at 50 years. No official could remain in the service of the League more than 21 years or after reaching the age of 55 years.

The Committee adopted the principle of a deferred pay scheme.

The Committee agreed to refer to the Salaries Adjustment Committee the elaboration of the details of this scheme. This Committee would decide whether or no it would adopt the proposal that the Pension Fund should be worked under the management of the parties concerned. The Committee agreed to instruct the Salaries Adjustment Committee to prepare a report on the question for submission to the next Assembly, such report being distributed to the States Members of the League three months before the date of the next Assembly.

6th Meeting.—The Committee agreed to adopt paragraph 42 of the Report of the Committee of Experts relative to the recruitment of staff, with the following modification: The words “recruitment by open competitive examination” should be replaced by the words “recruitment in conformity with the principles laid down in Articles 42 to 54 of the present report.”

The Committee agreed to insert in Article 59 of the Report of the Committee of Experts, after the words “the Council,” the words “at the request of the Assembly,” and to stipulate that at least one of the Members of the Commission of Control should be a financial expert.

The Committee further agreed not to recommend the appointment of a special financial expert.

7th Meeting—The Committee agreed to maintain the existing financial year.

The Committee agreed to recommend the principle of the fixation of a maximum of working capital fund and to adopt the recommendations, in the Report of the Committee of Experts, that payments to the reserve fund should only be made with the express approval of the Assembly.

The Committee recommended that the Labour Office should participate proportionally in the working capital fund.

8th Meeting.—The Committee adopted the recommendations of the Committee of Experts that the number of Under Secretaries-General should be reduced to one, and the number of Directors to six, on the understanding that this number could be increased to seven with the approval of the Council.

The Committee agreed to recommend that the Appropriation Officer mentioned in Article 89 of the Report of the Committee of Experts should receive his instructions from and report to the Commission of Control, and to amend in this sense the paragraph in question.

The Committee agreed to recommend the establishment of an Office in Latin America.

The Committee recommended that in future the provisional Verbatim Record of the proceedings of the Assembly should be revised by one or two experts before being published, so as to avoid obvious divergencies between the English and French texts.

9th Meeting.—The Committee agreed to refer to the Salaries Adjustment Committee the question of the desirability of creating, as proposed by the International Labour Office, an intermediate scale of salaries.

The Committee agreed that, during the discussion of the budget in the Assembly, the Labour Office could, on the invitation of the President and with the approval of the Assembly, be represented by one person, but that the four members of the Governing Body referred to in the Report of the Committee of Experts should be empowered to appear before the Fourth Committee and before the Commission of Control.

The Committee agreed, in accordance with the report of the sub-Committee appointed for that purpose, not to recommend the purchase of the building occupied by the International Labour Office.

Annex I.—Rates of salary proposed.

The following are the rates of salary which the Committee recommend should be adopted for future appointments to the Secretariat and to the International Labour Office. It should be understood that these rates have been suggested by the Commission, having regard to the present cost of living in Geneva, and that they should be reviewed, in the manner indicated in Annex II, should the cost of living fall or rise to any considerable degree.

	Increase,		
	Minimum.	Annual.	Maximum.
	Swiss Francs.		
Directors (Secretariat only)	41,000	2,500	53,000
Chiefs of Divisions (International Labour Office only)	38,500	2,000	47,000
Chiefs of Sections	28,000	1,000	33,000
Members of Sections—			
(1) Class A	19,000	800	28,000
(2) Class B	13,700	800	19,000
Senior Clerical Assistants and Secretary Shorthand-Typists	8,700	250	11,250
Bilingual Shorthand-Typists	7,500	250	10,000
Clerical Assistants	7,000	200	9,500
Copying Typists (locally recruited)	(See recommendations of I. L. O.)		

The Committee wish it to be distinctly understood that they consider that the salaries which are now being paid in many cases in excess of those suggested by them above are justified, having regard to the necessity for recruiting especially well-qualified personnel in the organisation period. They are, however, of the opinion that, as soon as normal conditions of work prevail, it should be possible to obtain personnel of the requisite calibre at the rates suggested.

There are certain posts which are not included in the general grading of the Secretariat, as to which the Commission would like to suggest that the appropriate salaries on the occurrence of vacancies should be as follows:—

<ul style="list-style-type: none"> I. Head of the Interpreters and Translators Department. II. Establishment Officer. III. Head of Précis-Writing Department. 	}	<p>These posts might be graded equivalent to those of Members of Sections, Class A.</p>
<ul style="list-style-type: none"> IV. Head of Registry 	}	<p>This post might be graded with a special scale of salary of 20,000 Swiss francs, rising by 500 annually to 25,000.</p>
<ul style="list-style-type: none"> V. Librarian 	}	<p>The holders of this post might receive a special salary of 20,000 Swiss francs. The two chief assistants in the Library should receive salaries on the scale 13,700 by 300 to 16,250 Swiss francs annually.</p>

It was decided to refer to the Salaries Adjustment Committee the question whether a new class of Précis-writers, with a salary from 11,250 to 13,000 Swiss francs, should be introduced into this scale for the International Labour Office only.

Annex II.—Variations in Salary in accordance with Cost of Living.

I.—Method of Calculating Variable Portion of Salaries.

Total Salary.	Method of Calculating Variable Portion.
Below 7,000 Swiss francs	55 per cent. fixed, 45 per cent. variable.
7,000	3,850 fixed, 3,150 variable.
7,001—8,000	3,150 of first 7,000 + 15 per cent. of salary above that point is variable.
8,000	4,700 fixed, 3,300 variable.
8,001 and above	3,300 of the first 8,000 + 10 per cent. of salary above that point is variable.

II.—Ready Reckoner.

Total Salary.	Fixed Portion.	Variable Portion.	Total Salary.	Fixed Portion.	Variable Portion.
Swiss francs.	Swiss francs.	Swiss francs.	Swiss francs.	Swiss francs.	Swiss francs.
7,000	3,850	3,150	18,000	13,700	4,300
8,000	4,700	3,300	19,000	14,600	4,400
9,000	5,600	3,400	20,000	15,500	4,500
10,000	6,500	3,500	25,000	20,000	5,000
11,000	7,400	3,600	30,000	24,500	5,500
12,000	8,300	3,700	35,000	29,000	6,000
13,000	9,200	3,800	40,000	33,500	6,500
14,000	10,100	3,900	45,000	38,000	7,000
15,000	11,100	4,000	50,000	42,500	7,500
16,000	11,900	4,100	55,000	47,000	8,000
17,000	12,800	4,200			

The general principles underlying these tables are as follows:

(1) It is clear that, other things being equal, the smaller the amount of salary received the greater is the proportion of that salary which must be expended on the necessaries of life; and that, on the other hand, the larger the salary received the greater is the portion of that salary which is available to meet outgoings other than in respect of necessaries, and that these outgoings, in so far as they represent savings, are less affected by temporary variations in the cost of necessaries of life. To the extent that they represent luxury expenditure, the spenders have more opportunity for economies than those who are in receipt of low salaries.

(2) We have, therefore, to suggest some system by which the lower ranges of salaries shall vary in a more direct relation to the variations in the cost of living than the higher salaries. This principle applies, of course, with equal force, whether the cost of living rises or falls.

(3) It is clear from the above that, as the salaries at present paid to the staff, and those recommended by the Commission to be paid, are admittedly based on the existing position with regard to prices, the present scales for the lower grades contain a large proportion of compensation for the present normal cost of living than those for the higher grades.

The system which is usually followed in England and elsewhere is to make percentage additions to the 1914 standard of remuneration, which are proportionately higher in respect of the lower salaries. But in the present case two important factors necessary to work out calculations on this basis are missing:—

(a) It is impossible to conjecture what the 1914 standard of remuneration for the League would have been, as the League did not exist at that date.

- (b) We have no reliable figures to hand as to the 1914 cost of living in Geneva as compared with the cost at the present time. The statistics which have been presented to us compare only the cost of living in Geneva and London at the time of the removal of the headquarters of the League. It will be the task of the Salaries Adjustment Committee to compare the cost of living in Geneva at various times.

The element of expatriation, which has formed so large an element in arriving at the existing salaries, presents another factor difficult to estimate.

It therefore seems best to take as our starting point the rates of remuneration shown in Annex I, which have been arrived at after taking into full consideration, *inter alia*, the present high cost of living. The method which we propose is that the present salaries should be divided into two parts, of which one part should be fixed, while the other part should vary in exact relation with the variation in the cost of living as ascertained by the Salaries Adjustment Committee. For the reasons given above, the amount of variable salary must be proportionately greater in the lower than in the higher grades, and our tables have been constructed on this basis.

The Commission wish it to be understood, however, that the tables are tentative, and we do not suggest that any modification in the amount of the variable portion would prove fatal to the scheme. On the contrary, we would recommend that these tables should, prior to adoption, be submitted to the proposed Salaries Adjustment Committee, when constituted, for their consideration and observations.

It is suggested that any re-assessing of salaries which may be necessary should be made once every six months, and that the salaries for the coming period of six months should be based on the average rise or fall of the cost of living over the preceding period of six months. The average rise or fall should be calculated in round figures to five decimal points, taking the figure for the present cost of living as represented by 100. Further, as a matter of administrative convenience, it would be advisable until the cost of living has moved by 10 per cent. in either direction, that no variations should be effected in accordance with this scheme.

The arrangements outlined above have been framed without reference to the cases of the Secretary-General, the Deputy Secretary-General, and the Under Secretaries-General, whose salaries have been fixed in pounds sterling on five-year contracts. So far as we are aware, these officials would not have any claim to any increase in their remuneration should the cost of living rise and it might well be claimed that they should equally be exempt from any deduction in their salaries should the cost of living fall, but in all the circumstances we consider that it would be fair that salaries should be subject to some deduction should the cost of living fall. We therefore recommend that, in the case of a fall, but not of a rise, in the cost of living, 10 per cent. only of the salaries of these officials should be subject to variation, in accordance with the cost of living, in the manner indicated in this Appendix. We finally suggest that the same arrangement might fairly be applied to the case of the Director and Deputy Director of the International Labour Office.

Annex III.--Subsistence Allowances.

The following are the rates of subsistence allowances which the Committee recommend should be adopted for members of the Secretariat in lieu of those at present in force :—

Class A :—

Secretary-General	} 60 Swiss francs a day.
Deputy Secretary-General	.	.	.	.	.
Under Secretaries-General	.	.	.	.	.
Directors of Sections	.	.	.	.	.

Class B :—

Chiefs of Sections	} 40 Swiss francs a day.
Members of Sections	.	.	.	.	.
Personal Assistant of the Secretary-General, of the Deputy Secretary-General and of the Under Secretaries-General	.	.	.	.	.
Heads of Administrative Departments	.	.	.	.	.
Chief Interpreter	.	.	.	.	.
Registrar of Documents	.	.	.	.	.
Chief Editor	.	.	.	.	.
Establishment Officer	.	.	.	.	.
Librarian	.	.	.	.	.
Secretaries, Chief Accountant	.	.	.	.	.
Assistant Editor	.	.	.	.	.
Assistant Director and Deputy	.	.	.	.	.
Director of the Registry, Interpreters and Translators,	.	.	.	.	.
Chief Distribution Clerk	.	.	.	.	.
Head of Stenographers	.	.	.	.	.

Class C :—

Any members of the Clerical Staff, other than the } 30 Swiss francs a day for period of
 above, when travelling abroad to assist at Council } a week. 25 Swiss francs a day
 or Commission or other League Meetings } after the first week.

Note.—These scales are intended to apply to the officials of corresponding grades in the International Labour Office.

ANNEX 5 :—*Report of the Committee No. IV on the Allocation of the Expenses of the League of Nations.*

In execution of the recommendation adopted by the Assembly of the League of Nations in December 1920, a Committee of five Members was appointed by the Council to report on the allocation of expenses. It was composed of MM. Reveillaud (France), Chairman; Barboza Carneiro (Brazil); Alfred Georg (Switzerland); Sthyr, and subsequently de Kauffmann, as substitute for M. Gluckstadt (Denmark); and Sir Henry Strakosch (South Africa). The Report was to be presented to the Council by 31st March 1921. The time at the disposal of this Committee in which to deal with so difficult and complex a question was, therefore, extremely short. It was obviously beyond its powers thoroughly to investigate all possible bases of allocation which might contribute to forming a fair estimate of the "capacity for payment" of the various Members of the League, which was the guiding principle approved by a Committee of the Brussels Financial Conference.

Adequate statistics of national resources were not available, and the Committee, faced with the obligation of submitting a practical proposal within three months, adopted as a measure of the capacity for payment the index obtainable from totals of populations on 31st December 1919, in conjunction with the net revenue for 1913, the last year before the war. The Expert Committee readily admitted that both these indices must remain far from complete or reliable basis for the purpose in view. They recognised, for instance, that the large native populations of certain extra European countries do not, in many cases, appreciably increase their resources. It was, therefore, laid down that the co-efficient of the population of any State should in no case be estimated as exceeding 5 per cent. of the total population of the States Members of the League. No less readily did the Expert Committee admit the difficulties which arose in determining the amount which could properly be ascribed to net revenue. The principle adopted was to add to the gross revenue, derived from taxation, without taking into account the cost of collection, the amounts derived from what may be described as the trading departments of a State (railways, domains, postal service, etc.) from which administrative and running expenses were deducted.

The very long delay which would have been entailed by the collection of documents and evidence to establish the due proportion of local and general expenditure in the budgets of individual components of a Federal State, made it inevitable, under the circumstances, that this consideration should be ignored in the estimates of net revenue adopted by the Expert Committee. Several Members of the Fourth Committee have drawn attention to this omission as seriously impairing the justice of the actual indices adopted. There were, moreover, other considerations which might be advanced against the adoption of the particular year 1913, or, indeed, of any single year, for the determination of net revenue, such as the fact that the revenue depending on imports and exports in certain countries fluctuates very considerably according to the quality of the harvests. To meet the varying circumstances of a number of countries, an average of the revenue of a series of years would provide a more satisfactory basis.

Finally, the unstable character of exchanges, and the general disturbance of economic conditions at the present moment, could not be overlooked. Proposals exclusively based upon the indices adopted could not therefore be regarded as other than approximate and provisional, and the defects in the system, which was found to be the only practical one to adopt in view of the brief time available, are fully recognised by the Expert Committee in their report. They had, however, been able to make comparisons with certain other statistical data which confirmed their view that the results of their labours were reasonably accurate.

The Committee of Experts proceeded to classify all the countries Members of the League in accordance with a mean index number obtained from the two factors of population and revenue. It maintained the system adopted by the Universal Postal Union of grouping the States into categories—a system which incidentally allowed some account to be taken of other factors than the two mentioned above. It concluded, however, that the apportionment adopted for the Universal Postal Union, which is prescribed by Article VI of the Covenant of the League of Nations as the basis of allocation of contributions, could not equitably be applied, and that it was indispensable to modify it in order to prevent injustice being done to the members. On the other hand, the rules of the Universal Postal Union made it clear that no alteration of its classification could be brought about in less than a year or eighteen months, while there was a probability that the alterations advocated by the Expert Committee would themselves prove an obstacle to acceptance of amendments by the Postal Union. The Expert Committee therefore submitted that the scheme which they recommended for the allocation of expenses could only be introduced by an amendment in Article VI of the Covenant. Such an amendment would

liberate the Assembly from the obligation of strictly applying the system of the Universal Postal Union.

The proposed new allocation will be found in Table II annexed to the Report of the Expert Committee (A. 40, 1921). In view, however, of the difficulties and delays which an alteration of the Covenant must entail, the Expert Committee, in addition to this proposed allocation, which might hold good until further investigations enabled all the facts of the economic situation to be more precisely established, also submitted a transitional proposal which, it is believed, might be adopted within the present limits of the Covenant, provisionally maintaining the elemental indices of the Universal Postal Union, while at the same time relieving to a considerable extent the States actually included in too high a group.

The provisional allocation is set forth in Table III annexed to the Report of the Expert Committee.

When a discussion of the proposals put forward in the Report of the Expert Committee was opened in the Fourth Committee, it at once became evident not only from the criticisms made orally, but also from a certain number of resolutions which were submitted, that a divergence of view existed as to whether the scheme of allocation set forth in Table II or that in Table III, both of which were regarded as only provisional solutions, was the more acceptable. It was, however, decided that the general sense of the Committee should not be taken on this question until the legal aspect of the situation had been examined.

On the proposal of the Chairman it was decided to invite the First Committee, which has to deal with amendments to the Covenant, to join with the Fourth Committee in appointing a mixed Sub-Committee in which eminent juridical authorities should be included, to examine into, and report on, the legal position. On behalf of the Fourth Committee MM. Adatci (Japan), Fernandes (Brazil), and Trygger (Sweden) were selected to act together with Sir Rennel Rodd, the reporter to the Fourth Committee; on behalf of the First Committee, Captain Bruce (Australia), MM. Noblemaire (France), Osusky (Czecho-Slovakia), with M. Zahle (Denmark) as reporter to the First Committee.

The Italian Delegate took the opportunity of announcing that, by the constitution of Italy, he was precluded from accepting any proposal involving an increased contribution without the sanction of Parliament. He could not therefore assent to any augmentation in the amount allocated to Italy under the Covenant until after the ratification of Parliament had been obtained to an amendment of Article VI. Other delegates expressed similar views.

The question whether exchange, which at the present moment so seriously affects the economic situation of certain Members of the League, should be taken into account in determining the allocation of contributions was raised by the Delegate of Poland, who in this matter spoke also on behalf of Roumania, Czecho-Slovakia, and the Serb-Croat-Slovene State. The Fourth Committee decided, by a majority resolution, that for various reasons of a practical and technical character the consideration of exchange must be excluded.

It was further decided that the numerical order of the groups into which the countries Members of the League were divided, which had led to misapprehensions, should be discontinued, and that countries should be arranged in alphabetical order.

Other Members of the Fourth Committee supplemented the criticisms to which reference has already been made, such as the incompleteness or insufficiency of the indices adopted, by drawing attention to the absence of any special consideration for the countries which had suffered most heavily by the war, and to the somewhat arbitrary nature of the grouping system, which placed in the same category countries whose index figures differed widely, and whose economic situation was not comparable.

The Fourth Committee, however, realising the difficulties which had been encountered and the impossibility of arriving under the circumstances at more than an approximate adjustment, expressed their high appreciation of the remarkable achievement of the Expert Committee which had, within so brief a period, succeeded in presenting an unanimous report and submitting a proposal for the readjustment of contributions which, it was generally admitted, in its main outlines went far to correct the manifest injustices to the existing scale.

The joint Sub-Committee of the First and Fourth Committees after several meetings expressed the unanimous opinion that the actual scale of allocation in force could not be modified without amending the Covenant. The Transitional Table III, submitted in the Report of the Expert Committee was, in this respect, in precisely the same position as Table II, and did not offer a provisional solution within the limits of the Covenant.

The Sub-Committee accordingly suggested the following amendments to the Covenant:—

“ 1. The last paragraph of Article VI of the Covenant shall be replaced by the following:—

“The expenses of the League shall be borne by the Members of the League in the proportion decided by the Assembly.”

“ 2. Provisional Article (to be inserted as an Annex to the Covenant):—

“The following allocation of the expenses of the League shall be applied as from 1st January 1922.” (Insert the Table to be adopted by Committee No. 4.)

The following considerations were added in the Report of the joint Sub-Committee :—

“By the new paragraph of Article VI of the Covenant the Sub-Committee adopts the proposal of the Committee dealing with amendments to the Covenant, according to which the Assembly would have the power to determine the scale simply by a Resolution and not by the procedure laid down in Article 26 of the Covenant. In accordance with Article 5 of the Covenant this Resolution will have to be accepted unanimously.

Nevertheless, as the Assembly will be unable to make use of its new faculty until the amendment shall have been ratified, as prescribed in Article 26 of the Covenant; and as, on the other hand, it is absolutely necessary that the inequity, already recognised by the First Assembly, of the present scale of the Universal Postal Union should be modified as soon as possible, the Sub-Committee was of opinion that Amendment of Article 6 of the Covenant should be supplemented by a provisional Article, possessing the same validity as the Covenant, and being subject to the stipulations prescribed in Article 26 of the Covenant. It is obvious that this Temporary Article will only become effective during the course of the year 1922, but once it has become effective the scale to which it refers will become operative as from 1st January 1922, and consequently will cover the whole financial year 1922.

The Sub-Committee is of opinion that the matter can be arranged in the following manner between 1st January 1922 and the date when the provisional Article becomes effective. In January 1922, when the Director of the Financial Administration has to notify to the Members of the League the amounts which they are required to pay for the expenses of 1922, we shall most probably find that we are still under the existing scale of the Universal Postal Union, and the Director of the Financial Administration should therefore inform the Members of the League of the amount of their contribution according to this scale. But there is no reason why the Director should not also inform the Members of the amount of their contribution as calculated under the new scheme. Until the amendment becomes effective, Members of the League could therefore begin by paying either the amount due according to the Postal scale or that due according to the new scale.

The Sub-Committee considers that it should draw attention to Article 13, section (c) of the Recommendation adopted on 17th December 1920, by the Assembly on the subject of the Finances of the League. According to this Article the allocation for 1922 should be so arranged by the Assembly of 1921 that Members who contributed in 1921 more than they would have done if the new scheme had been in force should, in 1922, pay a correspondingly smaller amount than their quota and *vice versa*. If it is determined to retain this readjustment, a question which this Sub-Committee is not competent to consider, Article 13, section (c) of the Recommendation of December 1920 should be incorporated in the provisional Article, as it constitutes a modification of Article 6 of the Covenant, and it will be sufficient to substitute 1921 for 1922.

If the allocation to be adopted by Committee No. IV, is the best solution obtainable for the time being, it will nevertheless be extremely desirable that M. Reveillaud's Committee should continue its labours. It is only in this manner that the Assembly will be enabled eventually to decide upon satisfactory allocation as prescribed in the new final paragraph of Article 6 of the Covenant.”

The fourth Committee, in considering the report of the joint Sub-Committee, dealt first with the concluding paragraph, and had no hesitation in adopting a resolution in the following sense :—

“The Fourth Committee, recognising that the proposals of the Expert Committee are still susceptible of improvements and adjustments after a more exhaustive investigation of the data, recommends that this Committee, so ably presided over by M. Reveillaud, be reappointed by the Council to continue its labours, and after taking account of the various factors not yet fully examined, to submit a further report indicating such modifications of the allocation provisionally accepted as it may deem equitable.”

It is anticipated that these further proposals will be ready for consideration by the Assembly not later than 1923.

The Fourth Committee next adopted the amendment to Article VI of the Covenant (No. 1 above), proposed by the joint Sub-Committee, without modification, and recommended that a paragraph should be added to Article 4 of the Rules of procedure of the Assembly to the following effect :—

“No proposal for a modification of the allocation of expenses for the time being in force, shall be inserted in the agenda unless it has been communicated to Members at least four months before the date fixed for the opening of the session.”

The proposed provisional Article (No. 2 above) to be inserted as an annex to the Covenant, led to a long discussion. It was held by many members of the Fourth Committee that any new scale to be adopted could, for reasons which have been sufficiently indicated above, only be provisional and transitory and that there must be a long delay before even such a transitional arrangement could be ratified by the Powers and made effective, with consequent uncertainty

and risk of serious disturbance in the financial arrangements of the League. Hence it was urged that it would be more practical to maintain the existing allocation of the Universal Postal Union, until a definitive, equitable adjustment had been submitted to, and adopted by, the Assembly. This view was held even by one or two representatives of Powers which stood to gain considerably by the immediate acceptance of a new allocation. Others, however, entertained no doubt that the risks involved were to be preferred to any prolongation of the existing system, which entailed such manifest injustices, and a division showed that a majority of the Fourth Committee were in favour of a new provisional allocation. Of the two alternatives presented by the Expert Committee Table II was adopted in preference to Table III by a large majority, subject to amendments to be considered later.

Having thus come to a decision, in principle, as to the new scale of allocation, the Fourth Committee proceeded to consider whether any alterations in Table II were permissible. In particular, it discussed a proposal of the Polish Delegate that Poland should be included amongst the countries enumerated in the fourth, instead of the third class of Table II. The Committee decided, by a majority, to accept this proposal, taking into account the exceptional grounds on which it was based, especially the contention that Poland was formed out of parts of the three Empires which, in 1913, were in a condition of prosperity not obtaining when her existence as a separate State commenced, and that only an arbitrary estimate of revenue in 1913 had been possible.

The consequent reduction in the contribution of Poland will not make any appreciable difference in the allocations of the other Members of the League, having regard to the recent admission to membership of Esthonia, Latvia and Lithuania. The eventual shares of these States had not been taken into consideration when Table II was prepared by the Expert Committee.

Table II as amended, showing (a) the units of contribution ; (b) the percentages payable by the existing Members of the League, is given in an appendix.

The Fourth Committee then decided that all other proposals for modification of the scale of allocation and the memoranda submitted in support of them should be referred to the Expert Committee for investigation in connection with the revised scheme which it is to prepare. It will, of course, be open to this Committee to hear the representatives of such countries as desire to express their views, and to present any results which are ready in time, to the Assembly of 1922.

The Fourth Committee recognised the high standard of the memoranda submitted by several of its members, and agreed that both their criticisms and their constructive proposals deserved close study. Had time permitted, the Fourth Committee would have been glad to examine these memoranda in detail. It was forced to recognise, however, that any such examination at so late a period of the present session could have been only cursory and unsatisfactory.

For the sake of greater clearness, and in order that there may not appear to be any contradiction between the terms of Article VI as amended and those of the provisional Article proposed by the joint Sub-Committee, the Fourth Committee agreed to add to the letter the following words:—

“And shall remain in force until a revised allocation has been accepted by the Assembly.”

The question of the date to be inserted in the provisional Article brought under review the issue whether the new allocation was to be retroactive in effect, so as to cover the year 1921. A recommendation in favour of such retroactivity had been adopted in the last session of the Assembly in 1920. This question was very carefully considered and argued in the Fourth Committee, and a certain number of members urgently advocated a readjustment in the sense of that recommendation. They represented that not only they, but their Governments also, regarded the 1920 recommendation as in the nature of a pledge. After a long discussion a large majority of the Fourth Committee declared itself against upholding the recommendation. They contended that at the time of its adoption there was a hope that it would be possible to apply a revised scale for 1922, without amending the Covenant, by arrangement with the Universal Postal Union. They further urged that insistence upon retroactivity would prejudice not only the prospects of acceptance of the provisional Article in the Assembly, but above all the prospects of approval of the new allocation by certain of the Parliaments, and ratification by the respective Governments. Failure in either case would entail, as the only alternative, the maintenance of the old allocation under the Universal Postal Union.

It may be desirable to add a word or two, as to the position of States which may be admitted to membership of the League in future years. The units of expenditure payable by such members cannot be determined under the wording of the provisional Article referred to above. It is suggested that the difficulty would best be met by a specific decision of the Assembly after reference to the appropriate Committees at the time when any new application for membership comes before it.

The task imposed upon the Fourth Committee in considering the many aspects of a question which is by its nature contentious, has been no light one, and in presenting recommendations which appear to be the most practical under present conditions, it must once more

express appreciation of the excellent work accomplished in so short a time by M. Reveillaud's Committee, on which the proposed resolutions are based. Every assistance has been afforded by the members of that Committee in explaining the principles which have guided their action, and in elucidating the various points which have arisen during the progress of discussions. The Fourth Committee have every confidence that a resumption of the investigation, in the light of further data which may become available, and of the recommendations advanced by various members, will lead to even better results in the future.

In conclusion the Fourth Committee has the honour to propose to the Assembly the following Resolutions which have been adopted, either unanimously or by a majority :—

I.—That the last paragraph of Article VI of the covenant should be replaced by the following paragraph :—

“The expenses of the League shall be borne by the members of the League in the proportion decided by the Assembly.”

II.—That the following provisional Article shall be inserted as an annex to the Covenant :—

“The following allocation of the expenses of the League shall be applied as from 1st January 1922, and shall remain in force until a revised allocation has been accepted by the Assembly :—

States.	Units payable.	States.	Units payable.
South Africa	15	Italy	65
Albania	2	Japan	65
Argentina	35	Latvia	5
Australia	15	Liberia	2
Austria	2	Lithuania	5
Belgium	15	Luxemburg	2
Bolivia	5	Nicaragua	2
Brazil	35	Norway	10
British Empire	90	New Zealand	10
Bulgaria	10	Panama	2
Canada	35	Paraguay	2
Chile	15	Netherlands	15
China	65	Peru	10
Colombia	10	Persia	10
Costa Rica	2	Poland	15
Cuba	10	Portugal	10
Denmark	10	Rumania	35
Spain	35	Salvador	2
Estonia	5	Serb-Croat-Slovene State	35
Finland	5	Siam	10
France	90	Sweden	15
Greece	10	Switzerland	10
Guatemala	2	Czecho-Slovakia	35
Haiti	5	Uruguay	10
Honduras	2	Venezuela	5
India	65		

III.—That the Assembly, recognising that the proposals of the Expert Committee (A.-40, 1921) are still susceptible of improvements and adjustments after a more exhaustive investigation of the data, recommends that this Committee so ably presided over by M. Reveillaud, be re-appointed by the Council to continue its labours and, after taking account of the various factors not yet fully examined, to submit a further report indicating such modifications of the allocation provisionally accepted as it may deem equitable.

IV.—That the following paragraph should be added to Article IV of the Rules of Procedure of the Assembly :—

“No proposal for a modification of the allocation of expenses for the time being in force shall be inserted in the Agenda unless it has been communicated to Members at least four months before the date fixed for the opening of the Session.”

SUPPLEMENTARY MEMORANDUM BY THE RAPPORTEUR.

The *rapporteur* of the Fourth Committee on the subject of Allocation of Expenses proposes, in submitting the Committee's report to the Assembly, to discuss the following Resolutions :—

(1) (to be substituted for Resolution 2 in the report of the Fourth Committee, page 7 of A. 179, 1921) :

(a) That the following paragraph shall be added to Article 6 of the Covenant as amended :—

“The allocation of the expenses of the League set out on Annex 3 shall be applied as from 1st January 1922 until 31st December 1923, unless in the meantime a revised allocation has come into force after adoption by the Assembly.”

(b) That the following shall become Annex 3 of the Covenant :—

Allocation of the Expenses of the League.

(As in Resolution II, in the Report of the Fourth Committee.)

(2) (Additional Resolution.) "The Assembly is of the opinion that, when a revised scheme of allocation of the expenses of the League has been adopted after consideration of the fresh recommendations of the Expert Committee, it would be equitable that Members of the League which may, with effect from 1st January 1921 and up to the year for which the revised scheme is adopted, have paid more than they are called upon to pay under the operation of such scheme, should be entitled to a refund of the excess amount paid.

"Such refund shall be made as surplus funds accrue and without prejudice to the maintenance of the working capital account of the League at its full normal figure."

TABLES PREPARED BY THE INDIAN DELEGATION.

*Subscriptions payable by each Member of the League under three schemes, on an assumed Budget of 25,000,000 gold francs.**

(The figures in brackets indicate the percentage of the total Budget paid by each State.)

	I. Allocation based on existing classifica- tion (Postal Union).	II. Allocation Committee's Definite proposals.	III. Allocation Com- mittee's suggested temporary allocation.
	Gold Francs.	Gold Francs.	Gold Francs.
British Empire :—			
United Kingdom	1,225,490 (4·9)	2,291,242 (9·16)	1,570,352 (6·3)
Australia	1,225,490 (4·9)	381,873 (1·53)	628,142 (2·5)
Canada	1,225,490 (4·9)	891,038 (3·56)	942,211 (3·8)
India	1,225,490 (4·9)	1,654,786 (6·6)	1,256,281 (5·0)
New Zealand	147,059 (0·6)	254,583 (1·02)	314,070 (1·3)
South Africa	1,225,490 (4·9)	381,873 (1·53)	628,142 (2·5)
Total, British Empire	6,274,509 (25·1)	5,855,395 (23·40)	5,339,198 (21·4)
Albania	49,020 (0·196)	50,917 (0·20)	62,814 (0·25)
Argentina	245,098 (0·98)	891,038 (3·56)	942,211 (3·8)
Austria	245,098 (0·98)	50,917 (0·20)	62,814 (0·25)
Belgium	735,294 (2·9)	381,873 (1·53)	628,142 (2·5)
Bolivia	147,059 (0·6)	127,291 (0·51)	188,442 (0·75)
Brazil	735,294 (2·9)	891,038 (3·56)	942,211 (3·8)
Bulgaria	245,098 (0·98)	254,583 (1·02)	314,070 (1·3)
Chile	245,098 (0·98)	381,873 (1·53)	628,142 (2·5)
China	1,225,490 (4·9)	1,654,786 (6·6)	1,256,281 (5·0)
Colombia	245,098 (0·98)	254,583 (1·02)	314,070 (1·3)
Costa Rica	147,059 (0·6)	50,917 (0·20)	62,814 (0·25)
Cuba	147,059 (0·6)	254,583 (1·02)	314,070 (1·3)
Czecho-Slovakia	735,294 (2·9)	891,038 (3·56)	942,211 (3·8)
Denmark	490,196 (1·96)	254,583 (1·02)	314,070 (1·3)
Finland	490,196 (1·96)	127,291 (0·51)	188,442 (0·75)
France	1,225,490 (4·9)	2,291,242 (9·16)	1,570,352 (6·3)
Greece	245,098 (0·98)	254,583 (1·02)	314,070 (1·3)
Guatemala	147,059 (0·6)	50,917 (0·20)	62,814 (0·25)
Haiti	147,059 (0·6)	127,291 (0·51)	188,442 (0·75)
Honduras	147,059 (0·6)	50,917 (0·20)	62,814 (0·25)
Italy	1,225,490 (4·9)	1,654,786 (6·6)	1,256,281 (5·0)
Japan	1,225,490 (4·9)	1,654,786 (6·6)	1,256,281 (5·0)
Liberia	49,020 (0·196)	50,917 (0·20)	62,814 (0·25)
Luxemburg	147,059 (0·6)	50,917 (0·20)	62,814 (0·25)
Netherlands	735,294 (2·9)	381,873 (1·53)	628,142 (2·5)
Nicaragua	147,059 (0·6)	50,917 (0·20)	62,814 (0·25)
Norway	490,196 (1·96)	254,583 (1·02)	314,070 (1·3)
Panama	147,059 (0·6)	50,917 (0·20)	62,814 (0·25)
Paraguay	147,059 (0·6)	50,917 (0·20)	62,814 (0·25)
Peru	147,059 (0·6)	254,583 (1·02)	314,070 (1·3)
Peru	245,098 (0·98)	254,583 (1·02)	314,070 (1·3)
Poland	1,225,490 (4·9)	891,038 (3·56)	942,211 (3·8)
Portugal	490,196 (1·96)	254,583 (1·02)	314,070 (1·3)
Rumania	735,294 (2·9)	891,038 (3·56)	942,211 (3·8)
Salvador	147,059 (0·6)	50,917 (0·20)	62,814 (0·25)
Serb-Croat-Slovene	490,196 (1·96)	891,038 (3·56)	942,211 (3·8)
Siam	147,059 (0·6)	254,583 (1·02)	314,070 (1·3)
Spain	980,393 (3·9)	891,038 (3·56)	942,211 (3·8)
Sweden	735,294 (2·9)	381,873 (1·53)	628,142 (2·5)
Switzerland	735,294 (2·9)	254,583 (1·02)	314,070 (1·3)
Uruguay	147,059 (0·6)	254,583 (1·02)	314,070 (1·3)
Venezuela	147,059 (0·6)	127,291 (0·51)	188,442 (0·75)
	25,000,000 (100)	25,000,000 (100)	25,000,000 (100)

*This table does not include the new States, Esthonia, Latvia and Lithuania, admitted to the League during the 1921 session of the Assembly, nor does column II allow for the decision to place Poland in the fourth category instead of in the third.

Actual Subscriptions payable by certain States for the year 1922 on the Budget of 20,873,915 gold francs approved by the Assembly.

	Postal Union Scheme (excluding Esthonia, Latvia and Lithuania). (510 units.)		Allocation adopted by the Assembly, based on Allocation Committee's definite scheme (including Esthonia, Latvia and Lithuania). (977 units.)	
	Units.	Amount.	Units.	Amount.
British Empire :				
United Kingdom	25	1,023,233	90	1,922,886
South Africa	25	1,023,233	15	320,491
Australia	25	1,023,233	15	320,491
Canada	25	1,023,233	35	747,789
India	25	1,023,233	65	1,328,751
New Zealand	3	122,786	10	213,654
Total British Empire	128	5,238,951	230	4,914,042
China	25	1,023,233	65	1,328,751
France	25	1,023,233	90	1,922,886
Italy	25	1,023,233	65	1,328,751
Japan	25	1,023,233	65	1,328,751
Poland	25	1,023,233	15	320,481
Spain	20	818,586	35	747,789
Belgium	15	613,940	15	320,481
Brazil	15	613,940	35	747,789
Netherlands	15	613,940	15	320,481
Rumania	15	613,940	35	747,789
Sweden	15	613,940	15	320,481
Switzerland	15	613,940	10	213,654
Czecho-Slovakia	15	613,940	35	747,789
Argentine	5	204,646	35	747,789
Serb-Croat-Slovene	10	409,293	35	747,789
Chile	5	204,646	15	320,481

ANNEX 6.—Original Budget of the League (only the main heads are reprinted).

STATEMENT OF INCOME AND EXPENDITURE FOR 1922.

Expenditure.		Income.	
	Gold francs.		Gold francs.
A. League Expenditure.			
1. Assembly and Council Meetings	1,000,000	1. Ordinary contribution towards normal upkeep	13,451,000
2. General Services of the Secretariat	6,141,000	2. Ordinary contribution towards upkeep of Labour Organisation	8,245,046
3. Special Organisations of League	4,810,000	3. Extraordinary contribution towards capital account	1,572,800
4. Capital Expenditure	1,572,800	4. Extraordinary contribution to replace working capital	500,000
5. Working Capital replacement	500,000		
6. Permanent Court of International Justice	1,500,000		
B. Labour Organisation.			
7. Estimates for 1922	8,245,046		
	<u>23,768,846</u>		<u>23,768,846</u>

SUMMARY OF CHAPTERS.

Chapter		1922.	1921.
		Gold francs.	
I.	Assembly and Council Sessions	1,000,000	750,000
II.	General Services of the Secretariat	6,141,000	4,970,000
III.	Special Organisations of the League :—		
	(a) Continuing or Permanent	2,935,000	2,955,000
	(b) Temporary	375,000	525,000
	(c) Unforeseen	500,000	500,000
IV.	Capital Expenditure	1,572,800	2,000,000
V.	Working Capital Fund	500,000	1,890,000
VI.	Permanent Court of International Justice	1,500,000	650,000
VII.	International Labour Organisation	8,245,046	7,010,000
	Total for 1922	<u>23,768,846</u>	<u>21,250,000</u>
	Increase of 1922 over 1921	—	2,518,846
	Percentage of increase, 11½ per cent.		

CHAPTER I.—ASSEMBLY AND COUNCIL SESSIONS.

	Gold francs.	
1. Session of the Assembly	800,000	750,000
2. Sessions of the Council	200,000	...
	<u>1,000,000</u>	<u>750,000</u>

1922. 1921.

CHAPTER II.—GENERAL SERVICES OF THE SECRETARIAT.

	Gold francs.	
3. Salaries, Wages and Allowances:—		
(a) Secretariat at Geneva	4,000,000	3,255,000
(b) House staff at Geneva	220,000	200,000
(c) Branch offices personnel	120,000	35,000
4. Travelling expenses of officials of the League:		
(a) Removal expenses	50,000	25,000
(b) Travelling expenses and subsistence allowances occasioned in connection with general services	150,000	150,000
5. Frais de représentation	210,000	200,000
6. Property Account. Maintenance:—		
(a) Headquarters at Geneva	185,000	219,420
(b) Branch offices	165,000	65,000
(c) House allowance for the Secretary-General at Geneva	21,000	...
<i>Installation at permanent seat of the League (non-recurring,</i>	...	25,000
7. Auditors' travelling and subsistence expenses	5,000	5,000
8. Publication Department (exclusive of salaries)	415,000	250,000
9. General Office Expenses	540,000	400,000
10. Interest charges	50,000	75,000
<i>Enquiry as to Organisation of the Secretariat</i>	...	10,000
11. Unforeseen expenses of the Secretariat	110,000	55,580
	6,241,000	4,970,000

Appropriations in aid:—	Gold francs.	
(a) Sale of publications (<i>see</i> item 8)	35,000	
(b) Interest earned (<i>see</i> item 10)	50,000	
(c) Miscellaneous petty receipts	15,000	100,000
Net total	6,141,000	

CHAPTER III.—SPECIAL ORGANISATIONS OF THE LEAGUE.

(a) *Continuing or Permanent*—(3,935,000 gold francs).

12. Administrative Commissions and minorities' questions	200,000	175,000
13. Economic and Financial	2,310,000	1,000,000
14. Mandates	225,000	225,000
15. Transit	500,000	670,000
16. Permanent Advisory Commission for Military, Naval and Air questions	100,000	235,000
17. International Health Organisation	400,000	400,000
18. Supervision of the Opium Traffic	100,000	50,000
19. Social questions: Traffic in Women and Children, etc.	100,000	150,000

(b) *Temporary* 375,000 gold francs).

20. Temporary Commission for the reduction of armaments	125,000	100,000
<i>Central Bureau for the Regulation of Arms Traffic</i>	...	50,000
21. International Blockade Committee	75,000	75,000
22. Repatriation of Prisoners of War	25,000	150,000
23. Commission of Enquiry regarding Deportation of Women and Children in Armenia, etc.	50,000	50,000
24. International Bureaux	100,000	100,000

(c) *Unforeseen* (500,000 gold francs).

25. Unforeseen expenditure such as special Commissions of Enquiry, etc. (subject to special vote of Council)	500,000	500,000
------------------------------------------------------------------------------------------------------------------------	---------	---------

1922. 1921.
— —

CHAPTER IV.—CAPITAL EXPENDITURE.

(5.50 Swiss francs = \$1 = 5.1826 gold francs.)

	1922.	1921.
		Swiss francs.
26. Fourth payment on account of balance of purchase price of Hotel National	500,000	500,000
27. Interest estimated at 5½ per cent. on 4,000,000 Swiss francs for six months	110,000	175,000
28. Fifth payment on account of balance of purchase price of Hotel National	500,000	500,000
29. Interest estimated at 5½ per cent. on 3,500,000 Swiss francs for six months	96,250	157,500
30. Payments to maintain the options on adjoining properties:—		
(a) "Villa" Property, payable 1st May	5,000	5,000
"Villa" Property, payable 1st November	5,000	5,000
(b) "Armleder" Property, payable 1st May	8,333	8,333
"Armleder" Property payable 1st November	8,334	8,334
31. Additions to property of a permanent character	25,000	48,477
32. Furniture and fittings (additional equipment)	110,000	500,000
33. Library Installation:—		
(a) Permanent shelving and equipment	125,000	85,000
(b) Purchase of books, periodicals, maps, etc.	175,000	200,000
<i>Printing Office</i> . . . . .	...	250,000
34. Wireless receiving installation	1,207	...
	1,669,124	2,392,644
	1,572,800	2,000,000

CHAPTER V.

		Gold francs.
35. Working Capital Fund:—		
Balance required for working capital to replace advances made to the following: (amounts estimated as on 31st December 1921)	500,000	1,890,000
(a) Aaland Islands Enquiry	100,000	
(b) Polish-Lithuanian dispute	200,000	
(c) Free City of Danzig	175,000	
(d) Anti-Typhus Campaign	25,000	
	500,000	

CHAPTER VI.

36. Permanent Court of International Justice	1,500,000	650,000
--------------------------------------------------------	-----------	---------

CHAPTER VII.

37. International Labour Organisation	8,245,046	7,010,000
-------------------------------------------------	-----------	-----------

ANNEX 7:—Original Budget of the Labour Organisation for 1922.

SUMS CREDITED TO THE INTERNATIONAL LABOUR ORGANISATION OVER AND ABOVE THE SUM VOTED FOR ITS ESTIMATED EXPENDITURE IN 1921.

		Gold francs.
Unexpended balance from year 1920, 33,889 <i>l.</i> (20 gold francs per <i>l.</i>)		677,780
Contribution of Germany for 1920, 2,975,256 marks		242,860
Contribution of Germany for 1921		343,750
Estimated subscriptions for Office publications for 1921		100,000
		1,364,390

In regard to the disposal of these sums, the Governing Body, at its meeting of 14th April 1921, approved the following recommendation contained in the report of their Finance Committee:

"It will be a matter for the Assembly of the League of Nations to determine how these sums should be treated; whether they should go in reduction of the contributions required in respect of the cost of the Office during the current year, or whether they should be brought into account in fixing the Budget for 1922. It is suggested that these amounts should be shown in a note appended to the Estimate for 1922, and the view of the Governing Body on the question indicated. The Finance Committee think the best course is to appropriate them in reduction of the expenditure for 1922."

ESTIMATE FOR 1922.

Approved by the Governing Body of the International Labour Office at its Seventh Session, held at Geneva, 12th-14th April 1921.

GENERAL SUMMARY.

1921.	Sub-heads.	1922.
Swiss francs.		Swiss francs.
3,837,500	A.—Salaries	4,698,462
397,500	B.—Travelling and Miscellaneous	382,500
1,950,000	C.—Establishment and Office expenses	1,430,000
568,750	D.—Correspondents and collection of Information	584,000
837,500	E.—Conference and Enquiries	680,000
480,000	F.—Non-recurring Expenditure	190,000
178,750	G.—Emergency Expenditure	285,038
500,000	Unappropriated Balance	500,000
12,500	League of Nations Enquiry	—
<u>8,762,500</u>		<u>8,750,000</u>

SUB-HEAD A.—SALARIES.

Posts.		Sub-divisions.	Gold francs (\$ at 6.47825).	
1921.*	1922.		1921.	1922.
1	1	I Director	72,000	72,000
34	34	II Cabinet	440,980	434,440
1	1	III Deputy Director	52,000	52,000
3	4	IV Deputy Director's Secretariat	29,920	40,320
122	142	V Central Services	712,050	840,000
29	38	VI Diplomatic Division	362,200	478,080
78	97	VII Scientific Division	801,150	1,102,010
40	36	VIII Technical Services	539,920	479,920
<u>308</u>	<u>353</u>		<u>3,010,920</u>	<u>3,498,770</u>
		Increments and promotion	—	140,000
		Temporary assistance, overtime and emergency	59,080	120,000
			<u>3,070,000</u>	<u>3,758,770</u>
			In Swiss francs = 3,837,500	4,698,462

SUB-HEAD B.—TRAVELLING AND MISCELLANEOUS.

1921.	Sub-divisions.	1922.
Swiss francs.		Swiss francs.
187,500	1. Staff: Travelling expenses and allowances	187,500
75,000	2. Governing Body: Travelling expenses and allowances	75,000
60,000	3. Frais de représentation:	
25,000	Director	60,000
25,000	Deputy Director	25,000
25,000	Chairman of Governing Body (including honorarium, office and secretarial expenses)	25,000
25,000	4. Cantonal and communal subscriptions and other miscellaneous expenses	10,000
<u>397,500</u>		<u>382,500</u>

* These figures include all posts budgeted for, whether for whole or part of year.

SUB-HEAD C.—ESTABLISHMENT AND OFFICE EXPENSES.

1921.		1922.
—		—
Swiss francs.		Swiss francs.
120,000	1. Rent, Heat and Lighting	110,000
65,000	2. Maintenance and Insurance	50,000
250,000	3. Stationery, etc.	250,000
231,250	4. Post, Telegraph and Telephone	200,000
150,000	5. Library (purchases and subscriptions)	100,000
150,000	6. Printing: Official Bulletin (three languages)	150,000
100,000	7. Printing: Studies and Reports	80,000
240,000	Printing: Monthly Review	150,000
30,000	Printing: Legislative Series	30,000
150,000	Printing: Special Publications	120,000
200,000	General Printing: Circulars, questionnaires, reports	150,000
150,000	8. Printing Daily Intelligence	150,000
50,000	9. Transportation and Welfare arrangements for staff	30,000
63,750	10. Unforeseen and incidental expenses	60,000
<u>1,950,000</u>		<u>1,630,000</u>
	Appropriation in aid of sale of publications and advertisements	200,000
	Net Total	<u>1,430,000</u>

SUB-HEAD D.—CORRESPONDENTS' OFFICES.

60,000	1. Paris Office (150,000 Fr. francs)	75,000
132,000	2. London Office (6,000l.)	144,000
186,000	3. Washington Office (30,000 dollars)	165,000
10,000	4. Rome Office (40,000 lire)	10,000
20,000	5. Berlin Office (250,000 marks)	80,000
160,750	6. Correspondents and collection of outside information	160,000
<u>568,750</u>		<u>584,000</u>

Rate of Conversion
for Budget of 1921.Rate of Conversion
for Budget of 1922.

40	Swiss francs = 100 French francs	= 50	Swiss francs.
22	" " = 1l.	= 24	" "
6.20	" " = 1 dollar (American)	= 5.50	" "
25	" " = 100 Italian lire	= 25	" "
8	" " = 100 marks (German)	= 12	" "

SUB-HEAD E.—CONFERENCES AND ENQUIRIES.

1921.	Sub-divisions.	1922.
—	—	—
Swiss francs.		Swiss francs.
250,000	1. Annual Conferences (hire, preparation of hall, reporting and publication of provisional and final records)	200,000
150,000	2. Enquiries and investigations	150,000
275,000	3. Commissions	200,000
100,000	Printing, stationery, postage, etc., for Commissions	80,000
62,500	4. Emergency expenditure (including temporary staff for Conference)	50,000
<u>837,500</u>		<u>680,000</u>

SUB-HEAD F.—NON-RECURRING EXPENDITURE.

260,000	1. Office, repairs to buildings	100,000
150,000	2. Office equipment and additional furniture	60,000
70,000	3. Typing and calculating machines, duplicators, dictaphones, etc.	30,000
	4. Construction of temporary accommodation or enlargement of office building	Nil.
<u>480,000</u>		<u>190,000</u>

SUB-HEAD G.—EMERGENCY EXPENDITURE.

178,750	Emergency expenditure	235,038
---------	---------------------------------	---------

ANNEX 8:—*Report of Committee No. IV on the Financial Administration of the League.*

I.—GENERAL OBSERVATIONS.

The early period of the life of the League was a difficult time from the point of view of finance.

Difficulties arose, on the one hand, from the fact that the League was suddenly confronted by problems which increased every day in number and in importance and which called for expenditure on the part of the League, and on the other hand, from the fact that a system of financial regulations was almost completely lacking. One of the few provisions existing of this matter—that contained in the last paragraph of Article 6 of the Covenant, dealing with allocation of the expenses of the League of Nations—is, moreover, very unsatisfactory.

It appears that the rapid increase in expenditure came to an end at the close of the year 1920. Again it is unquestionable that the very severe strictures by the First Assembly to which the rapid growth of the expenditure of the League had given rise did much to check the tendency which had been criticised. The discussions in the Fourth Committee have, moreover, very clearly again emphasised the earnest desire of the Financial Committee of the Assembly to limit, as far as possible, the expenditure of the League of Nations, and the Fourth Committee is glad to report that the budget, as it is submitted to the Assembly, amounts to only 20,758,945 gold francs, whilst the budget for 1921 amounted to 21,250,000 gold francs.

The other cause of the difficulties was found in the almost complete absence of financial control. Before the meeting of the First Assembly, the Council had already adopted measures to remedy this state of affairs, and the First Assembly, with the same object in view, adopted the Recommendation of 17th December 1920, containing a provisional code of rules for the administration of the finances of the League of Nations. This Recommendation contains provisions for the preparation and the definite adoption by the Assembly of the General Budget of the League of Nations, which includes the Budget of the International Labour Organisation, provisions regarding the procedure to be followed when incurring unforeseen expenditure, regarding transfers from one appropriation to another, regarding the working capital fund, regarding the auditing of the accounts and receipts, and their adoption by the Assembly, and, finally, regarding the allocation of expenditure as between the Members of the League of Nations.

II.—AMENDMENT OF THE RECOMMENDATION OF THE ASSEMBLY, DATED 17TH DECEMBER 1920, ON THE QUESTION OF THE FINANCES OF THE LEAGUE OF NATIONS.

The Recommendation of 17th December 1920 laid the requisite legal foundation for a practical and satisfactory administration of the finances of the League of Nations. While it is true that it covers the whole ground of administration, it constitutes, however, only a first step towards a final settlement of a matter which is of such importance for the life of the League. The First Assembly, therefore, in the Recommendation itself, requested the Council to draw up, for the annual session of the Assembly in 1921, if experience should prove it advisable, a Resolution to strengthen and improve the financial administration. It is evident from the memorandum of the Secretary-General and from the Resolution adopted by the Council on 30th August 1921, that the Council considered that it would not be expedient to draw up final regulations so long as the Assembly had not expressed its opinion in the portions of the Report of the Commission of Experts which dealt with this administration.

The Fourth Committee was completely in agreement with this view, but, as the Assembly has now formulated its opinions on the remarkable work of the Commission of Experts, it is of opinion that the Council should be requested to enter at once on the preparation of the Draft Resolution, in order that it may be submitted to the Members of the League at a very early date, so as to enable the Third Assembly to adopt a final Resolution.

Article 6 of the Recommendation of 17th December 1920 was to the effect that extraordinary expenditure could only be incurred under the last item of Chapter 2 (Article 27 of the Budget for 1921) by virtue of a special resolution of the Council. As regards the Budget for 1921, a similar permission must be obtained for the unforeseen expenditure referred to in Article 25.

While the Recommendation of 17th December 1920 does not authorise the transfer of credits from one item of the budget to an item of another chapter, it provides, for the year 1921 alone, the possibility of transfer from one item of the Budget to another of the same chapter. In accordance with the memorandum of the Secretary-General and the Resolution adopted by the Council on 30th August 1921, even the transfer of credits from one chapter

to another might perhaps be permitted, but the Council merely indicates to the Assembly the expediency of continuing, in 1922 also, transfers of credits from one item to another of the same chapter with the special permission, of course, of the Council. The Fourth Committee agreed to adopt this Recommendation.

The financial paragraphs of the Report by the Commission of Experts (paragraphs 56-71, 88-91 and 126-129) have already been dealt with in M. Noblemaire's Report on the whole work of the Commission of Experts. If the present Report returns to this subject—as briefly as possible—it is because the financial proposals of the Commission of Experts as they were carried by the Assembly entail a certain number of modifications of the Recommendation of 17th December 1920, and must therefore also appear in the present Report.

The Fourth Committee, in the first place, adopts the idea of the Commission of Experts that the Council should be advised to appoint a Commission of Control which should be entirely independent of the body responsible for the measures involving expenditure, and which should lay before the Assembly its opinion on the Draft Budget (paragraphs 57-59). It is of course understood that the appointment of the Commission of Control by the Council does not in any way prejudice the Assembly's right to nominate a similar Committee.

On the other hand, the Committee was of the opinion that it would not be necessary to attach to the Commission of Control a special salaried financial expert, in addition to the Appropriation Officer, whose duty it is to make sure, before any expense is incurred, that there is proper budget provision for it, and in addition also to the auditors mentioned in Articles 8-10 of the Assembly's Recommendation referred to above, whose report will in future be submitted to the Commission of Control. The Committee decided to retain the Appropriation Officer (paragraph 89) and to place him under the orders of the Commission of Control. It recommended, however, that one at least of the three or five members of the Commission should be a financial expert.

The Fourth Committee proposes that the calendar year which had been adopted as the financial year by the First Assembly should continue to be the financial year (paragraphs 63-65). It concurred in the proposals regarding submission of the Budget (paragraphs 66-70), which, moreover, had already been to a large extent applied in the General Draft Budget for 1922. The Committee also recommends the suggestions of the Committee of Experts contained in paragraphs 88, 90 and 91, relating to the organisation of the Financial Director's Section.

With regard to the Working Capital Fund (paragraph 71), which already occasioned long discussion in the First Assembly, the Committee adopts the proposals contained in paragraph 71. It is of opinion that the maximum amount of the Working Capital Fund might be fixed at 5,000,000 gold francs. Moreover, sums could not be paid into the Fund without the sanction of the Assembly. It follows that the excess of receipts over expenditure, if any, at the end of a financial year, must be carried to the account of the following year. The International Labour Office may, if necessary, obtain assistance, as it has done in the past, from the Working Capital Fund proportionately to its Budget, but it is not to be allowed to have a special fund at its disposal.

Recoverable advances on account of the Working Capital Fund made during the last financial period shall be shown in the statements to be attached to the Draft Budgets in accordance with Article 2 of the Recommendation of 17th December 1920, regarding the administration of the finances of the League of Nations. Finally, the final regulation of the financial administration of the League shall contain definite provisions regarding the administration of the Working Capital Fund.

As regards the financial control of the International Labour Organisation, the Recommendation of 17th December 1920 had already provided for the same guarantees as in connection with the other organisations of the League (paragraphs 126-129 of the Report by the Commission of Experts are based on similar principles). They recommend more especially that the Commission of Control, to which a certain number of delegates of the Governing Body of the International Labour Office could submit the estimates for that organisation, should have the same powers in this connection as over the finances of the other organisations of the League. The fact that the Assembly definitely votes the sum total of the League's Budget has led the Fourth Committee also to adopt the idea that the Governing Body of the International Labour Office should be empowered to make a statement regarding its Budget. The Fourth Committee suggests that the Governing Body should be empowered for this purpose to appoint a representative who might attend in an advisory capacity any meetings of the Assembly dealing with the Budget. It is, of course, understood that such a representative could not rise to speak unless invited to do so by the President.

The question of the allocation of the expenses of the League is dealt with in a special report. Moreover, a certain number of amendments to the Covenant concerning the finances of the League have been studied by the First Commission.

In accordance with the above remarks, the Fourth Committee has the honour to submit the following Recommendation to the Assembly :—

Recommendation.

The Assembly of the League of Nations requests the Council to continue to regulate the finances of the League of Nations in the spirit of the principles contained in the Assembly Recommendation of 17th December 1920, as modified by the following Articles, and by the recommendations laid down in the Report of the Fourth Committee on the administration of the finances of the League of Nations. Further, the Assembly requests the Council to prepare for the annual meeting of the Assembly of 1922 a final resolution regarding the administration of the finances of the League of Nations.

Article 1.—The Assembly recommends the Council to appoint a Commission of Control of three or five members, one of whom at least shall be a financial expert. The Council shall select the Commission from amongst the Members of the League of Nations in such a way as to include Members of the League which are not represented on the Council.

Draft Budgets and other documents contemplated in Articles 1 and 2 of the Recommendation adopted on 17th December 1920 shall be submitted to the Commission of Control before being submitted to the Council. The Draft Budget of the International Labour Organisation shall be laid before the Commission of Control by four members of the Governing Body, two of whom might be selected from the delegates of Governments, one from employers' delegates and one from the workers' delegates. The Governing Body shall decide whether the Director or Deputy Director of the International Labour Office shall be added to the Delegation.

A representative of the Governing Body shall be authorised to attend in an advisory capacity any meetings of the Assembly that deal with the Budget. It is, of course, understood that the representative in question cannot rise to speak except on the invitation of the President.

The appropriation officers, whether members of the Secretariat or of the International Labour Office, shall be responsible to the Commission of Control.

Article 2.—Article 6 shall read as follows :—

“Expenditure can be incurred only by virtue of a warrant signed by the Secretary-General or one of his deputies specially authorised thereto. This warrant shall mention the fiscal period and the budget item to which the expenditure is to be charged, and cannot be given until the official appointed for the purpose (Appropriation Officer) has certified that the item of expenditure is represented in the Budget by a corresponding credit. Unforeseen expenditure, however, can only be incurred under Article 25 of the General Budget for 1922 if it is authorised by a special resolution of the Council, which must be immediately communicated to the Members of the League of Nations. During the year 1922 transfers from one item to another of the same chapter can be effected by virtue of a special resolution of the Council, which must be immediately communicated to all the Members of the League of Nations.”

Article 3.—The following sentence shall be added to Article 7 :—

“Additions to this fund, which may not exceed 5,000,000 gold francs, cannot be made except with the approval of the Assembly. If the fund exceeds 5,000,000 gold francs, the excess shall be carried forward to the credit of the next financial period. The International Labour Organisation may continue to obtain, if necessary, assistance from the Working Capital Fund proportionately to its budget.”

Article 4.—Insert in Article 9, after the word “auditors,” “and to the Commission of Control.”

Article 5.—Article 10 shall read as follows :—

“Three months before the annual session of the Assembly, the Commission of Control and the auditors shall present to the Council, or in the case of the International Labour Organisation, to the Governing Body, a Joint Report on the correctness, etc.”

III.—PARTICIPATION IN THE EXPENSES OF THE TECHNICAL ORGANISATIONS OF THE LEAGUE BY STATES WHICH PARTICIPATE IN THE ORGANISATION WITHOUT BEING MEMBERS OF THE LEAGUE.

The Fourth Committee was pleased to note the resolution of the Council of 2nd September 1921, authorising the Secretary-General to request the States which are not Members of the League of Nations, but which form part of the technical organisations of the League, to pay their share of the expenses of the technical organisations in which they participate from the beginning of the fourth financial year of the League (1922). The Commission therefore proposes the following recommendation to the Commission :—

Recommendation.

The resolution of the Council of 2nd September 1921, authorising the Secretary-General to request the States which are not Members of the League of Nations, but which form part

of the technical organisations of the League, to pay their share of the expenses of the technical organisations in which they participate, from the beginning of the fourth financial year of the League (1922), should be incorporated in the final regulations of the financial administration of the League.

IV.—INCOME AND EXPENDITURE ACCOUNTS.

In accordance with Article 8 of the Assembly Recommendation dated 17th December 1920, the Council, in a Resolution of 23rd February 1921, requested the Swiss Government to authorise the Audit Department of its Ministry of Finance to undertake the duty of auditing the income and expenditure accounts for the second financial period extending from 1st July to 31st December 1920. The Berne Government has been so good as to instruct M. Ryffel, Head of the Federal Departments of Banking and Accounts, and M. A. Kohler, Deputy Controller of the Federal Finances, to audit the accounts in question. At the request of the Director of the International Labour Office, these gentlemen also undertook the auditing of the income and expenditure account of the International Labour Organisation for the second financial period extending from 1st April to 31st December 1920. The two reports of the expert auditors show that they were completely satisfied with the accounts of the Secretariat and of the International Labour Office.

After a detailed examination of the balance-sheets and of the income and expenditure accounts, the Fourth Committee decided to propose to the Assembly that it should, in virtue of Article 12 of the Recommendation of 7th December 1920, cited above, finally pass the expenditure and receipts of the second fiscal period. The Committee added to this proposal the desire that in the future a cash account should be subjoined to the balance-sheet, and to the income and expenditure account, and that this cash account should also be submitted to the expert auditors, who would also audit the expenditure of the Working Capital Fund account. It must also be understood that the documents emanating from the International Labour Office must no longer be expressed in sterling currency.

In virtue of these remarks, the Fourth Committee has the honour to submit the following Resolution to the Assembly for adoption:—

Resolution.

In virtue of Article 12 of the Recommendation, dated 17th December 1920, on the administration of the finances of the League of Nations, the Assembly of the League of Nations finally passes the expenditure and income accounts for the second fiscal period, terminating on 31st December 1920.

V.—BUDGET FOR 1922.

The arrangement of the General Budget for 1922 and the Budget of the International Labour Office, which is attached to it, gives rise to only a few general observations. The Fourth Committee was gratified to note that the suggestions put forward by the Commission of Experts regarding the introduction of the Budget had already in great measure been given effect to in the Draft Budget presented by the Secretary-General. If the estimates for the Labour Organisation are not yet in complete agreement with these suggestions, this is due solely to the fact that the draft had to be prepared at a date when the views of the Commission of Experts were not yet known. The Fourth Committee is satisfied that the Director of the International Labour Office fully shares its views as to the necessity for adopting in the future the same arrangement for the special Budget of the International Labour Organisation, as well as for the schedules and explanatory notes, as for the General Budget of the League.

The estimates laid before the Assembly amounted to a total of 23,768,846 gold francs, of which 8,245,046 gold francs was on account of the International Labour Office. The estimates which the Fourth Committee proposes that the Assembly should adopt amount only to 20,758,945 gold francs, of which 6,135,610 gold francs is on account of the International Labour Office.

This heavy reduction represents economies which it has been possible to realise and which are to a certain extent explained by the fact that the Secretary-General and the Director of the International Labour Office have to present their estimates at the beginning of the year (*see* Articles 1 and 2 of the Recommendation of the Assembly adopted on 17th December 1920). It has been possible to deduct from the Budget of the International Labour Office an item amounting to 1,364,390 gold francs, by the suppression of the Special Working Capital Fund for that organisation, the General Working Capital Fund fixed at 5,000,000 gold francs being sufficient for the needs both of the Secretary-General and of the Director of the International Labour Office. It is clear that it will be impossible to repeat a reduction of this kind next year. Amongst the reductions made by the Fourth Committee, there appears a general reduction of 25 per cent. on everything connected with printing expenses, this being due to the general fall in prices in this department.

Though a considerable number of reductions have been introduced into the Budget, the Fourth Committee also proposes the inclusion of a certain number of new credits, which are largely accounted for by Resolutions of the Assembly itself.

Five schedules are attached to the present Report, the first and fourth of which indicate the modifications entailed by the fact that the Secretary-General and the Director of the International Labour Office are forced to prepare their estimates for the following year as early as the beginning of the financial year. The second schedule sets out the modifications necessitated by Resolutions of the Assembly itself, and the third and fifth schedule, reductions introduced at the suggestion of the Fourth Committee.

The detailed and thorough examination to which the Fourth Committee has subjected the estimates for 1922 has brought to light a very considerable amount of information, and full explanations were asked for and given. As regards details of these questions, this Report can only refer to the minutes of the 13th-17th meetings of the Committee. It is necessary, however, to emphasise a few special points.

If the Fourth Committee has agreed to the credits requested for a subsidiary office for South America (item 3c and item 6b of the General Budget), it has done so on the clear understanding that this office would not be set up before the Council had drawn up a definite scheme for its organisation.

The Fourth Committee, in proposing that the Assembly should grant a special credit of 45,000 gold francs with the object of publishing the *Monthly Bulletin* in several languages (item 8 of the General Budget), is convinced that the Information Section will exercise a wise selection with regard to these languages and will not neglect Hindustani.

With regard to the special estimates dealing with the various items of the General Budget (special organisations of the League), the Committee calls attention to the necessity for these estimates being as detailed as possible.

The important question of the Working Capital Fund has already been dealt with in section 2 of the present Report.

The question of a new building for the International Labour Organisation has long engaged the attention of the Financial Committee of your Assembly. In this connection the Committee passed the following Resolution:—

“The Committee, being invited to take a decision on the principle of the acquisition of a building for the International Labour Office, recognises the urgent necessity of a speedy solution of the question, but finds itself to its sincere regret obliged to defer for one year the solution of this important question :

In order, however, to manifest its good-will in this matter, the Committee enters a credit of 20,000 Swiss francs under this appropriation, for the purpose of making plans, estimates, etc., or of making a contract of option in respect of premises for the International Labour Office.”

It follows from this Resolution that the Fourth Committee is of opinion that the 1922 Assembly must have submitted to it a definite and precise proposal as regards the definite installation of the International Labour Office. Meanwhile, the Committee proposes that the Assembly should vote a sum of 12,000 gold francs to be set apart for renting a house near the building at present in use, and for the carrying out of certain improvements and re-arrangements (Division F of the Budget of the International Labour Office), and also a sum of 2,000 gold francs (Division H of the same Budget).

To reduce as far as possible the expenditure of the League of Nations the Fourth Committee recommends finally that for the preparation of new estimates, and for such options as may be contracted, all supplies and articles required by the Secretariat or the International Labour Office, where large quantities are involved (for prices exceeding 10,000 francs), should be obtained as far as possible by means of public tender. A detailed advertisement should accordingly be inserted in two leading foreign newspapers, and also in the *Monthly Bulletin* of the League of Nations.

During the present session of the Assembly, in accordance with the fifth Article of the Recommendation of 17th December 1920, a certain number of proposals were made to the Fourth Committee by the Secretariat and the International Labour Office. The result of these proposals was to modify the General Budget and that of the International Labour Office. The Commission is of opinion that in future all modifications of the Budget which the Secretariat or the International Labour Office would wish the Assembly to adopt should be contained in one document and submitted at the beginning of the session of the Assembly.

On several occasions the Secretariat brought before the Fourth Committee supplementary estimates to cover expenditure resulting from resolutions submitted by certain Committees to the Assembly or which had already been passed by it. The Fourth Committee has, without exception, adopted these supplementary estimates, even when the particular Committee had failed to state the sum it deemed necessary for the execution of its draft resolution. The Fourth Committee is of opinion, however, that, in the interest of a satisfactory administration of the finances of the League, the Assembly should never in future pass a resolution resulting in expenditure without first consulting the Financial Committee of the Assembly as to the advisability of incurring such expenditure in its relation with the general possibilities of the Budget. The Fourth Committee has, therefore drafted an amendment to the second paragraph of the Article 14 of the Rules of Procedure of the Assembly and has submitted it to the First Committee.

IV.—MODIFICATIONS IN THE BUDGET PROPOSED BY THE INTERNATIONAL LABOUR OFFICE.

Increases.		Reductions.	
	Swiss Francs.		Swiss Francs.
<i>Division C.</i>			
1. Rent, light and heat	30,000	1. Travelling expenses of staff and allowances	50,000
7 (b). Printing, legislative series	20,000	<i>Division C.</i>	
9. Transformation and welfare arrangements for staff	50,000	3. Stationery, etc.	50,000
<i>Division D.</i>			
4. Rome office	15,000	4. Post, telegraph and telephone	50,000
<i>Division E.</i>			
1. Annual conference	50,000	5. Library	40,000
Total increase	165,000	7 (a). Printing, studies and reports	20,000
		8. Printing daily intelligence	30,000
		10. Unforeseen expenses	30,000
		<i>Division D.</i>	
		1. Paris office	8,000
		2. London office	12,000
		<i>Division E.</i>	
		2. Enquiries and investigations	75,000
		3. Commissions	50,000
		4. Printing, stationery, postage, commissions, etc., for	30,000
		<i>Division F.</i>	
		1. Office repairs to building	70,000
		Total reduction	510,000
		Net reduction	345,000

V.—MODIFICATIONS TO THE BUDGET PROPOSED BY THE FOURTH COMMITTEE.

Increases.		Reductions.	
	Swiss Francs.		Swiss Francs.
<i>Division G.</i>			
1. Emergency	34,325	Unappropriated balance	500,000
Preparation of plans or purchase of options	20,000	Total reduction	500,000
Total increase	54,325	Net reduction	445,675

Chapters IV and V.

Total reduction in Swiss francs = 790,675.
Total reduction in gold francs = 745,046.

SUMMARY.

	Reductions.
	Gold Francs.
I. Modifications to the Budget proposed by the Council or Secretariat	1,082,842
III. Modifications to the Budget proposed by the Fourth Committee	239,123
	1,321,965
Increases.	
II. Modifications to the Budget consequent upon the adoption by the Assembly of various reports	421,500
	900,465
Net reduction	
IV and V. Modifications in the Budget of the International Labour Organisation (net reduction)	745,046
Surplus credited to International Labour Office	1,364,390
	3,009,901
Total reductions	
1 General Budget of the League	20,758,945
	23,768,846
Original Budget	

¹ The total was subsequently raised to 20,873,945 gold francs, owing to the voting of a credits of 100,000 and 15,000 gold francs for the despatch of a Commission of Enquiry to Albania and for the further meetings of the Committee on Allocation of Expenses. (Appendix II, Resolution No. 20.)

ANNEX 9.—*Traffic in Opium and other dangerous Drugs.*

• RESOLUTION ADOPTED BY THE COUNCIL ON THE 28TH JUNE 1921.

The Council of the League of Nations resolves:—

1. That States which are Members of the League and have not signed or ratified the International Opium Convention be invited to do so as soon as possible.
2. That the Netherlands Government be requested to continue its efforts to secure ratification of the International Opium Convention by those States which are not Members of the League.
3. That the Provisional Health Committee of the League, or any other similar organisation, be asked to undertake an enquiry to determine approximately the average requirements of the drugs specified in Chapter III of the International Opium Convention for medical and other legitimate purposes in different countries.
4. That in order to carry out the obligations under Articles 3 and 5 and under Article 13 of the International Opium Convention, the Governments which are parties to the Convention be invited to adopt the following procedure:—

“Every application for the export to an importer of a supply of any of the substances to which the Convention applies shall be accompanied by a certificate from the Government of the importing country that the import of the consignment in question is approved by that Government and is required for legitimate purposes.

In the case of drugs to which Chapter III of the Convention applies, the certificate shall state specifically that they are required solely for medicinal or scientific purposes.”
5. That the special attention of the Contracting Powers having treaties with China be invited to the provisions of Article 15 of the International Opium Convention, so that the most effective steps possible should be taken to prevent the contraband trade in opium and other dangerous drugs.
6. That consideration of the Fifth Recommendation of the Advisory Committee on Traffic in Opium be deferred.
7. That in view of the world-wide interest in the attitude of the League towards the Opium question, and of the general desire to reduce and restrict the cultivation and production of opium to strictly medicinal and scientific purposes, the Advisory Committee on Traffic in Opium be requested to consider and report, at its next meeting, on the possibility of instituting an enquiry to determine approximately the average requirements of raw and prepared opium specified in Chapters I and II of the Convention for medical and scientific purposes in different countries.

REPORT SUBMITTED TO THE ASSEMBLY BY COMMITTEE No. V.

The abuse of opium is a widespread and terrible scourge in many countries; moreover, it has been realised that it was indispensable to combat this evil, but it was quickly perceived that merely national measures were inadequate.

It was felt, therefore, that this scourge could only be overcome by international agreements.

The International Commission, assembled at Shanghai in 1909, was the first move in this direction. It paved the way for the Hague Conference of 1911-12, which resulted in the conclusion of the Convention of 23rd January 1912. This Convention was to come into force on 31st December 1914, but the outbreak of war unsettled everything. However, the authors of the Treaty of Versailles devoted consideration to the opium peril, and, in Article 23 of the Covenant, they entrusted the League of Nations with the duty of controlling the traffic in opium and other dangerous drugs.

The first Assembly decided at its meeting of 15th December 1920 to establish an Advisory Committee, which, three months before the beginning of each meeting, should submit to the Council a report on all subjects referring to the execution of the agreements regarding the traffic in opium. This Committee met on 2nd to 5th May last.

It began by drawing up a questionnaire as to the measures taken to carry out the terms of the Convention, and this questionnaire was sent by the Secretariat to the various Governments. It also drew up six recommendations which were submitted to the Council. The latter took note of them and passed a resolution containing seven paragraphs.

The Fifth Committee of the second Assembly began its labours, therefore, with these data at its disposal, that is to say, the recommendations of the Advisory Committee and the Council's resolution. It was also assisted in its task by the enlightened assistance of two experts, M. van Vettum and Sir Malcolm Delevingne. The Committee noted in the first place that the Council in its resolution dated 28th June (*see Annex 228 to the Minutes of the 13th Session of the Council*), fully approved four out of the six recommendations of the Advisory Committee, but that, on the other hand, it postponed one of these recommendations and widened the scope of another.

It concurred in four paragraphs of the Council's resolution, namely, paragraphs 1, 2, 4 and 5, and also the second recommendation of the Advisory Committee (*see* A. 38, 1921, IV), which was to the effect that each State should make an Annual Report on the carrying out of the Convention. (This recommendation had been approved by the Council, but did not form part of the text of Council's resolution.) But, as differences of opinion had arisen with regard to the other paragraphs, that is to say, Nos. 3, 6 and 7, the Committee appointed a Sub-Committee to reconcile these initial divergencies if possible.

This Sub-Committee held four meetings, and, in spite of the great differences in the views of its members, it was able to arrive at a definite result, thanks to the conciliatory spirit manifested by both sides and thanks also to the skilful guidance of its President, M. de Marees van Swinderen. The report submitted by M. van Swinderen was unanimously adopted by the Fifth Committee.

The Delegates of China and of Siam made a reservation regarding the change proposed in this report as regards paragraph 7 of the Council's resolution.

What, therefore, are the conclusions laid down before the Assembly by the Fifth Committee in regard to the traffic in opium?

They are as follows:—

Besides the four paragraphs, referred to above, of the resolution of the Council dated 28th June, the Committee submits eight recommendations which I shall have the honour of reading to you, and which, I hope, will be accepted by the Assembly.

1. The Assembly concurs in paragraph 3 of the Council's Resolution on the understanding that the enquiries undertaken will be of a scientific character, and that, when they apply specifically to any particular country, they will be made through, or with the consent of, the Government of that country.

2. The Assembly recommends to the Council that, in paragraph 5 of the latter's resolution, it should also draw the attention of the Government of China to Article 15 of the International Convention on Opium.

3. The Assembly recommends to the Council that the enquiry referred to in paragraph 7 of the latter's resolution should be extended to include all opium the consumption of which may be considered legitimate, and that to this end the word "strictly" be omitted, and the word "legitimate" be substituted for "medicinal and scientific." It further recommends to the Council the omission of the reference to prepared opium, that is to say, to opium prepared for purposes of smoking, the complete suppression of which is provided for in Chapter II of the Convention.

4. The Assembly recommends to the Council that the different Governments be invited, where they see no objection, to furnish to the Secretariat, in addition to the official annual report, any information concerning the illicit production, manufacture or trade in opium or other dangerous drugs which they think likely to be useful to the League in the execution of its task.

5. The Assembly recommends the Council to consider whether all nations specially concerned in either the growth or manufacture of opium or other dangerous drugs should not be represented on its Advisory Committee.

6. The Assembly urges those States Members of the League¹ which have not yet signed and ratified the Opium Convention to do so as soon as possible.

7. In order to facilitate the execution of the Convention, the Assembly urges all States Members of the League which are parties to the Convention, to signify to the Secretariat as soon as possible their acceptance of the fourth recommendation of the Advisory Committee relating to the requirement of importation certificates.

8. The Assembly recommends the Council to request the Advisory Committee to extend their investigations to include not only the drugs mentioned in the Convention of 1912, but also all dangerous drugs of whatever origin which produce similar effects, and to advise as to the desirability of convoking a further international conference of States which are parties to the Convention, as well as States Members of the League of Nations, with a view to drawing up a Convention for the suppression of the abuse of such drugs.

Having placed before you the various recommendations, I must make the following observations with regard to three of them:—

As regards the second recommendation, the Committee, after having heard the statements of the Delegate of China on the steps taken by the Government of China in respect of the cultivation of opium, is of opinion that, in accordance with paragraph 6 of the Resolution of the Council, the consideration of Recommendation No. 5 of the Advisory Committee may be

¹ The following Members of the League have not yet ratified the Opium Convention of 1912 nor signed the Protocol of 1914:—Albania, Argentine, Chile, Columbia, Costa Rica, Finland, Paraguay, Persia, Salvador, Switzerland.

The following have ratified the Convention, but not signed the Protocol of 1914:—Denmark, Venezuela.

postponed. The statements of the Delegate of China, of which the Committee takes note are as follows:—

“Between 25th June and 15th August last the Chinese Government appointed seven special High Commissioners to investigate the real situation in eight provinces and two special administrative districts where a recrudescence of poppy cultivation is reported to have been taking place. These Commissioners have started on their mission and some are already beginning their investigations. I believe the Chinese Government will be disposed to make available to the League of Nations the results of these investigations after they are laid before the Chinese Government.”

As regards the third recommendation, the grounds for the alterations recommended by the Committee in paragraph 7 of the Council's resolution are to be found in the very special conditions obtaining in various countries, particularly in India. The Indian Delegate has informed the Committee that the number of properly equipped hospitals and dispensaries in India is inadequate to the needs of the population, which over vast areas is without medical assistance. In order to cope with the diseases with which some of these regions are constantly infected, the population has cultivated the opium poppy from time immemorial,* and habitually takes opium in small doses as a prophylactic or an effective remedy. It is this use of opium which cannot be styled purely medical, i.e., that which is prescribed by a physician, that the Committee has in mind in using the term “legitimate.”

With regard to the subject of the eighth recommendation, it should be noted that it was at the suggestion of M. Hennessy (France) that the attention of the Fifth Committee was drawn to this subject. M. Hennessy emphasised the abuses due to the sale and consumption of drugs of mineral or chemical origin which are not covered by the terms of the Hague Convention of 1912, observing that the scourge which formerly ravaged the East had since the war become universal, that chemically manufactured drugs were hawked, sold at low prices and consumed in large quantities, and that in view of the fact that the legislation existing in the various countries was insufficient, it was imperative that a further international conference should meet.

I would also draw attention to the representations made by the Persian Delegate, Prince Arfa-ed-Dowleh, as to the desirability of the League of Nations undertaking propaganda work amongst Eastern populations addicted to opium by the distribution of pamphlets pointing out the dangers of consuming this drug.

The question of the control of the traffic in opium and other dangerous drugs is one of world-wide importance and well worthy of the deepest interest of the Assembly. The first step towards establishing the control with which the League is entrusted by the Treaties of Peace was taken by the Assembly last year, and a satisfactory beginning has already been made. No comprehensive survey of the actual position at the present time will be possible until the replies to the questionnaire which has been issued by the Secretariat have been received and analysed. The results of the questionnaire will be laid before the next Assembly. In the meantime, as will be seen from what has been said above, useful steps have already been taken on the advice of the Advisory Committee which will facilitate the execution of the Convention; and the further suggestions which the Fifth Committee has made in this report will, it is hoped, help to advance the matter still further.

Finally, it should be pointed out that the control of the traffic is attended with great difficulties. Attention was called to some of these difficulties in the case of Eastern countries by the delegate of Persia. It is only by an international body such as the League that these difficulties can be overcome; and for this the wholehearted continuous and efficient co-operation of all the Members will be needed. The Committee ventures to appeal to all Members of the League for such co-operation.

ANNEX 10.—*Draft International Convention for the Suppression of the Traffic in Women and Children, as revised by the drafting Committee appointed by Committee No. V.*

Albania, etc.

Being anxious to secure more completely the suppression of the Traffic in Women and Children described in the preambles to the Agreement of 18th May 1904, and to the Convention of 4th May 1910, under the name of “White Slave Traffic”;

Having taken note of the Recommendations contained in the Final Act of the International Conference which was summoned by the Council of the League of Nations and met at Geneva from 30th June to 5th July 1921; and

Having decided to conclude a Convention supplementary to the Agreement and Convention mentioned above:

Have nominated for this purpose as their Plenipotentiaries the President of the Supreme Council of Albania, etc., who, having communicated their full powers, found in good and due form, have agreed upon the following provisions:—

Article 1.—The High Contracting Parties agree that, in the event of their not being already Parties to the Agreement of 18th May 1904 and the Convention of 4th May 1910

* See paragraph 135 of the Report.

mentioned above, they will transmit with the least possible delay their ratifications of, or adhesions to, those instruments in the manner laid down therein.

Article 2.—The High Contracting Parties agree to take all measures to discover and prosecute persons who are engaged in the traffic in children of both sexes and who commit offences within the meaning of Article 1 of the Convention of 4th May 1910.

Article 3.—The High Contracting Parties agree to take the necessary steps to secure the punishment of attempts to commit, and, within legal limits, of acts preparatory to the commission of, the offences specified in Articles 1 and 2 of the Convention of 4th May 1910.

Article 4.—The High Contracting Parties agree that in cases where there are no extradition Conventions in force between them, they will take all measures within their power to extradite or provide for the extradition of persons accused or convicted of the offences specified in Articles 1 and 2 of the Convention of 4th May 1910.

Article 5.—In paragraph B of the final Protocol of the Convention of 1910, the words "twenty completed years of age" shall be replaced by the words "twenty-one completed years of age."

Article 6.—The High Contracting Parties agree, in case they have not already taken legislative or administrative measures regarding licensing and supervision of employment agencies and offices, to prescribe such regulations as are required to ensure the protection of women and children seeking employment in another country.

Article 7.—The High Contracting Parties undertake in connection with immigration and emigration to adopt such administrative and legislative measures as are required to check the traffic in women and children. In particular, they undertake to make such regulations as are required for the protection of women and children travelling on emigrant ships, not only at the points of departure and arrival, but also during the journey, and to arrange for the exhibition, in railway stations and in ports, of notices warning women and children of the danger of traffic, and indicating the places where they can obtain accommodation and assistance.

Article 8.—The present Convention of which the French and the English texts are both authentic, shall bear this day's date, and shall be open for signature until 31st March 1922.

Article 9.—The present Convention is subject to ratification. The instruments of ratification shall be transmitted to the Secretary-General of the League of Nations, who will notify the receipt of them to the other Members of the League and to States admitted to sign the Convention. The instruments of ratification shall be deposited in the archives of the Secretariat.

In order to comply with the provisions of Article 18 of the Covenant of the League of Nations, the Secretary-General will register the present Convention upon the deposit of the first ratification.

Article 10.—Members of the League of Nations which have not signed the present Convention before 1st April 1922 may accede to it.

The same applies to States not members of the League to which the Council of the League may decide officially to communicate the present Convention.

Accession will be notified to the Secretary-General of the League, who will notify all Powers concerned of the accession and of the date on which it was notified.

Article 11.—The present Convention shall come into force in respect of each Party on the date of the deposit of its ratification or act of accession.

Article 12.—The present Convention may be denounced by any Member of the League or by any State which is a party thereto, on giving 12 months' notice of its intention to denounce. Denunciation shall be effected by notification in writing addressed to the Secretary-General of the League of Nations. Copies of such notification shall be transmitted forthwith by him to all other Parties, notifying them of the date on which it was received.

The denunciation shall take effect one year after the date on which it was notified to the Secretary-General, and shall operate only in respect of the notifying Power.

Article 13.—A special record shall be kept by the Secretary-General of the League of Nations, showing which of the Parties have signed, ratified, acceded to or denounced the present Convention. This record shall be open to the Members of the League of Nations at all times; it shall be published as often as possible, in accordance with the directions of the Council.

Article 14.—Any Member or State signing the present Convention may declare that the signature does not include any or all of its colonies, overseas possessions, protectorates or territories under its sovereignty or authority, and may subsequently adhere separately on behalf of any such colony, overseas possession, protectorate or territory so excluded in its declaration.

Denunciation may also be made separately in respect of any such colony, overseas possession, protectorate or territory under its sovereignty or authority and the provisions of Article 12 shall apply to any such denunciation.

Done at _____ the _____ in a single copy, which shall remain deposited in the archives of the League of Nations.

ANNEX II.—*Report presented to the Assembly by Committee No. VI, on Mandates.*

• Resolution adopted by Committee No. VI.

The Committee, having considered the letter of the 19th September, addressed to its Chairman by the Sub-Committee on Mandates, endorses the views expressed in that letter, and recommends the Assembly to make a communication to the Council in accordance with the suggestion of the Sub-Committee.

Letter from President of Sub-Committee "B" to President of Committee No. VI.

Geneva,

19th September 1921.

Sir,

The Sub-Committee has considered the Draft Resolution handed in at the Assembly by Lord Robert Cecil, in the following terms:—

"The Assembly regrets the delay which has taken place in the definition of the Mandates, recognises that the Council is not responsible for that delay, and is of opinion that it would be desirable that the Mandates of the 'A' and 'B' classes should be forthwith defined."

2. The Sub-Committee fully endorses the view expressed in the first part of Lord Robert Cecil's resolution. It, too, regrets the delay which has taken place in the definition of the "A" and "B" Mandates. At the same time it recognises that the fault cannot be said to lie with the Council.

3. The action of the Council in this matter is fully set out on pages 46—47 of its Report, which is before the Assembly (A. 9). In brief, being apprised of the objection of the United States to the definition of the Mandates without previous consultation with themselves, the Council determined to defer confirmation of the remaining Mandates until the Government of the United States had an opportunity of expressing their views. It is understood that negotiations between the principal Allied Powers and the United States are still proceeding, that a Memorandum from the United States was received by these Powers only a few days before the Assembly met and that its terms are now under examination. There would seem no option to the Council but to give time for the conclusion of these negotiations before confirming the remaining Mandates.

4. Nevertheless, the Sub-Committee realises that the delay in the issue of the remaining Mandates may cause anxiety and apprehension, anxiety because the trust conferred by Article 22 of the Covenant of the League of Nations on the Mandatories has not yet been fully defined; apprehension lest, in the absence of the completed Mandates, the sacred trust laid down by that Article may not in all respects be fulfilled.

5. The Sub-Committee has not felt it part of its duties to examine the draft Mandates "A" and "B," nor yet to consider the reports which the Mandatory Governments have in some cases, at any rate, submitted to their national Parliaments, and communicated to the Council for information, upon the administration of the mandated territories confided to their charge during their preliminary period. The world, however, will be able to draw its own conclusions from these documents, which are now public property, and from others which will shortly be available, and it is to be hoped that the anxiety and apprehension alluded to in the previous paragraph will be allayed by their perusal.

6. With regard to the "A" Mandates, the Sub-Committee feels that it would be in any case premature to press for immediate action by the Council. It takes note of the fact that the Treaty of Sèvres has not yet been ratified by the Powers. As to these Mandates, the Sub-Committee would only express its hope that, so long as the transitory conditions continue, the administration of the territories in question will still be carried out in the spirit of Article 22 of the Covenant.

The "B" Mandates, however, are in a different category, seeing that they are founded upon the Treaty of Versailles, which has been ratified. Moreover, drafts of all the "B" Mandates have been before the Council since the beginning of the present year. Even if these drafts are still subject to alteration in details, are not the principles enunciated such as could command the approbation of the Council? Finally, the French and British Governments were charged by the terms of the decision of the Supreme Allied Council of 7th May 1919 with the duty of coming to an agreement upon the future of Togo and the Cameroons, which they would recommend the League of Nations to adopt. This agreement has now been reached and it is desirable that the Council should, at the earliest possible opportunity—

(a) Formally approve the application of the Mandate system to Togoland and the Cameroons;

(b) In particular, adopt, in principle, the declarations signed by the representatives of the French and British Governments on 10th July 1919, as to the respective spheres which are to be placed under the authority of each Government.

7. Accordingly, the Sub-Committee suggests that much will be gained if the Council could be invited by the Assembly forthwith to address a despatch to the Powers entrusted with the administration of the territories referred to in Article 23, paragraph 5, of the Covenant, indicating that, whilst the Council has not felt able to proceed with the confirmation of the "B" Mandates pending the results of the negotiations now proceeding between the principal Allied Powers and the United States, and whilst examination of the details of these Mandates must necessarily be reserved in view of modifications which it may eventually be found suitable to make in the terms of these Mandates the Council is satisfied by its perusal of the drafts (if such should be the case) that generally speaking, the principles there laid down express the high objects which the Covenant has in view and lay down, in a spirit in harmony with that of the Covenant, safeguards for the rights of all Members of the League.

The Sub-Committee would further represent that the Council should now formally approve the application of the Mandates system to Togoland and the Cameroons, and, in particular, adopt in principle the declarations signed by the representatives of the French and British Governments on 10th July 1919, as to the respective spheres which are to be placed under the authority of each Government. Finally, it might be suggested that the Council should express its confidence that Mandatory Powers will continue to exercise the administration of the territories committed to their charge in the spirit of the draft Mandates until such time as the position shall have been definitely regularised.

8. The Sub-Committee feels convinced that this action by the Council, in particular such a communication from the Mandatory Powers, and such a measure of confirmation of the terms of the "B" Mandates, would not only be welcomed by the Mandatory Powers themselves, but would serve as a token to the world of the earnestness of the League in pressing for the speedy realisation of the aims of Article 22 of the Covenant.

APPENDIX IV.

Certain Speeches delivered by the Delegates of India at Plenary Meetings of the Assembly and Resolutions proposed by Sir William Meyer in Committee No. IV.

ANNEX 1.—*Speech delivered by the Right Hon. V. S. Srinivasa Sastri, on the 12th September, in the Debate on the Work of the Council.*

As you have been informed, I come from India, separated from you by many thousands of miles, but I trust you will recognise akin to you, alike in loyalty to the League, in the spirit of humanity, and in zeal for the welfare of our kind. Coming rather late in this debate, I have had the rare advantage of listening to many speeches in connection with our work. I have heard a note here and there of pessimism. I do not wonder. I have heard much criticism, valuable and wholesome to those who are engaged in high and serious tasks, but I am happy to think that the dominant note of all the speeches has been one of hope for the future enthusiasm for the ideals that underlie our work, and for the peace and goodwill amongst the nations of the world that we wish to see established on a firm and unalterable basis. I confess I have been moved to my inmost depths by what I have seen and heard. Hard and cold, indeed, must be the heart that fails to be touched, and touched to noble issues, by a spectacle such as this. The nations of the world foregather from the ends of four continents, representing many shades of colour, many varieties of political and social thought, and many states and grades of culture and advance in all directions—peoples small and great, weak and strong, but all alike weary of the mistaken past, eager for a better day for mankind, and resolved, with bruised and bleeding hearts, to stand by higher ideals for human kind.

And yet one has very often been hearing, during the last few days, of people standing outside the organisation, criticising our work as from a different planet, unconcerned spectators whose only duty is to find fault and fix blame on particular people. I confess I have no patience with that sort of critic. The friendly appraiser of good and evil, who is anxious for improvement, one has use for; one can listen to him with respect and with attention; but to those who will not take a share in the work we can only turn a deaf ear to their cold criticisms. When a man has told me: "The League has not done this," I am inclined to ask whether he is not to blame for it. When he has told me: "There are these tasks still unfinished," I am inclined to ask him: "Why do you not come in and lend a helping hand?" If he says "There is no room for me in the Assembly, which consists only of a certain number of people," my answer to him is that there is work inside the Assembly and there is work outside the Assembly. The work outside is not less important, not less necessary, but sometimes far more difficult, far more onerous and far more exhausting, I may say, than the work inside the Assembly. We want an army of workers in every country to educate the hearts of the people, to make them realise the high aims and tasks of this League of Nations, and, in fact, to be propagandists, in season and out of season, amidst discouragement and cynicism and difficulties of every sort. We can spare many critics of the kind that I have alluded to, and wish for helpers, in this spirit.

We have been bidden to cast our glance down the list of contents to be able to appreciate the magnitude and variety, the delicacy and the difficulty, of the tasks undertaken by the League. That represents, no doubt, a great part of the truth. But I would ask people not merely to be content to look at the table of contents, but to turn also to the inside pages of the Report that has been presented to us. There we shall see accounts of great work undertaken and great work accomplished. It may be that the Report is not presented in an attractive and literary form, but we can read between the lines. We can read the anxiety, we can read the industry, we can read the plans carefully made and vigorously executed for the accomplishment of the record that is down therein. If the League has so far been rather cautious in undertaking work, I ask: Is that necessarily a defect? We all know how long great institutions take to strike root, and as we know that this League is breaking entirely new ground, we should wait in patience for great results, should we not? Do we not know that those who snatch before the time often fail of their grasp and come to grief? Should we rather that the League undertook impossible tasks, came into collision with the Great Powers, and tried to upset and go against human nature, and thus dash all our hopes of the future? Should we not rather praise the League for the cautious steps it takes, so that the first tasks that it undertakes it may carry on to a successful and triumphant conclusion, that it may thereby be enabled in the face of the world to undertake the greater tasks that lie ahead.

I believe in the wisdom of the old proverb that you ought not to bite off more than you can chew. That the League has limited its scope and its activity I regard rather as a merit and proof of wisdom than as an occasion for adverse criticism. Should we not wish for more? Take, for instance, this war between Greece and Turkey. We all wish that it were in the power of the League to have prevented this in the beginning, or to terminate it to-day.

It seems almost as though the nations of Europe had made up their minds that, when human passions are at their worst, instead of allaying and diverting them, the right and proper thing was to let them work themselves out in their malignant fury and virulence.

Take, again, the question of Upper Silesia. What better testimony to the promise that the League has so far held out than that the Supreme Council should, in their perplexity, have yielded up this question of great moment to the solution of this great organisation? It is a great test and a great opportunity for the League of Nations to establish itself in the heart, not only of Europe, but of the civilised world. I know that it is the Council, and not the Assembly, which is charged with the great task of settling this problem. Nevertheless, the Assembly has a mighty rôle to perform in this matter. Whether in this matter of Upper Silesia, or any other great tasks between Powers, the Council has a very delicate and a very onerous responsibility resting on its shoulders. It may do its work with the utmost impartiality, with the most conspicuous ability, with the most unwearied industry; nevertheless, for the results of its work to be acceptable, for its judgments to be taken by the Great Powers concerned; it is necessary that the sympathy and support of the Assembly should be constantly in attendance on the work of the Council at every stage. The Assembly cannot afford to efface itself in this matter. We, representing the different peoples of the world, are in a measure custodians of the peace of the world. We, I dare to say it, are the authentic voice by means of which the conscience of the world will speak. Our duty lies here, to try and understand, to wait in patience till the Council is able to take us into its confidence, and then, with due discrimination and with a sense of responsibility, to stand behind the Council and lend them our hearty support. The Council will find it necessary, therefore, from time to time to be in living touch with opinion in the Assembly, with the wishes and feelings of the Members represented here, and likewise, also, at every stage to publish such records as may be safely published, so that they may have behind them, as I said, always the moral support of the Assembly. I do not say that the Council are going to fail in giving this due publicity, but I think it is necessary, from every point of view, to add our voice to the great demand that has been made on them so far by demanding that this publicity should never at any moment be neglected.

It is just possible that in the greatness of their task the Council may feel deterred by undue public criticism. It is just possible—who knows? We are dealing with human nature—it is just possible that they may sometimes like to wrap themselves up in oligarchic mystery. It is necessary, therefore, for the Members of this Assembly to assure them that, if they treat us in the proper spirit, their goodwill and confidence will be reciprocated in abundant measure, and rewarded a thousand-fold. We, for our part, have often been criticised as representatives of the little Powers, more or less, like units in a democratic Assembly, to be treated with consideration, but never to be fully trusted, and oftentimes to be set aside as noisy brawlers.

Brother and Sister Delegates, criticism of this sort is bound to come. We know there are always plenty of people who rail at democracy, democracy whether amongst individuals or amongst the nations of the world. We have, therefore, to remember that, in the face of hostile opinion, we have got to establish ourselves as people who will do their great duty without fear or favour. Some of us may be small, and may be threatened by the larger Powers around us; others amongst us may be in search of commercial and trading facilities, and may find it necessary therefore, if they are prudent, to accommodate ourselves to the selfish plans of other people. I think that our supreme duty lies in believing, as has been pointed out by the Delegates from Belgium and Persia, that we not here to further the interests of the countries

which we may happen immediately to represent, but we must constantly bear in mind that we are, each and every one of us, bound to act in the interests of all the others; that we are cosmopolitan really, that we are citizens of the world, and not merely of the limited countries which we happen for the moment to represent. We must resolutely refuse to be bought by any bribe, whether of political privilege or of trade facilities. We must not be daunted by fears of aggression by powerful neighbours, and we must, without haste and without rest, proceed, in the daily work here, to speak and to vote in obedience solely to our conscience and our sense of duty.

Now, from the particular view of India, I have a few observations to make to which I solicit your kind and indulgent attention. One word in the beginning I must say about disarmament. On this subject we have heard weighty opinions. Mr. Balfour, in particular, in a cautious and impressive speech, marked by that fine poise and balance for which he is famous amongst the philosophers and statesmen of the world, has told us to be patient a little, and not to expect considerable results in this direction. He has reminded us that, although the war has harrowed and chastened our feelings in a very considerable measure, the character of humanity is not yet radically altered. In his own words, we do not yet constitute a peaceable world. That was quite true, when one comes to think of it, but how I wish—how, I take it, you all wish—that, for once, Mr. Balfour was in the wrong, and it was possible to promise ourselves in the immediate future a large measure of general disarmament amongst the Powers of the world. India, distracted and suffering under anxieties of a particular kind, with resources of a very limited character, largely undeveloped, would welcome disarmament, because you may remember that, although the quarrel was not ours, we willingly and gladly came into the war with our own little bit.

But, even assuming that general disarmament on a considerable scale was undertaken, it is very doubtful how far India will come in for a great share of it, for her troubles, unfortunately, come from Afghanistan and from Russia, and to some extent from Turkey also, all three of them Powers which to-day stand outside the League, but which, we hope, on some near date, will come within our League and partake of its spirit of conciliation and pacification. The attitude of India towards this League is well illustrated by the measures that our Government have so far taken to carry out the resolutions and proceedings of the Washington Conference on Labour. That great Conference was attended by the usual quota of Indian representatives. As soon as they came back they reported to us, and the result is that, almost alone amongst the Great Powers, India has not only ratified the Convention which she was bound to ratify, but she has also put on her Statute Book a law dealing with the various aspects of the labour problem dealt with at that Conference. And we have another measure, now in contemplation, and we shall proceed with the task and complete it before our next session is over.

I wish it were possible to claim for many other nations that they have also ratified and undertaken legislation in pursuance of the resolutions of the Washington Labour Conference. Nevertheless, when it comes to giving us some representation on the Bureau of the International Labour Conference, we are told that we are not amongst the great industrial Powers of the world, and we are put aside. I hope that, when the next occasion comes round for considering this matter, the claims of India as a great industrial Power, determined to be loyal to the resolutions of the Labour Conference, will be treated with greater consideration.

Then, I have two grievances to bring before you. Without grievances we cannot live, as most of you know. One of these grievances is easily remediable. The other grievance I will not say is irremediable, but it is less susceptible of a remedy.

The first grievance relates to our representation in the Secretariat of the League. I will not go into figures. I am anxious to keep on the right side with the Secretariat, and I will not antagonise them by going into any vast array of figures. But I wish to say one thing. When we are taxed for the expenses of the League, we are ranked very high indeed. We come in the first or the second class. Last time we paid about 4·8 per cent. of the expenses, and, under the new scheme, we are told we must go up to about 6 per cent. or a little over. I will mention only one or two things in this connection. Of about 351 Members of the Establishment, 138 are British, 73 are French, 16 are Swiss, and the Americans, who are not yet Members of the League—I do not grudge their share—come in for 13. Where does India stand? She has one solitary representative. I do not ask for an increase in our representation as any reward for our virtue; but I offer this suggestion to the League with every confidence: that our men, taken from the disciplined ranks of our public services, will be found not inferior to any in the world with whom they may be brought into competition, either for efficiency or for industry, or for devotion to their work, and, as a highly evolved system of administration, which has justly received the encomiums of competent critics throughout the world, I can assure the Secretariat that they will receive much valuable assistance from the Members of our Services, if only they will be good enough to take them in.

Now, for the grievance which is somewhat less remediable, and I would ask the Assembly to listen to me with some indulgence, for this is a somewhat delicate question. I refer to Mandates. Lord Robert Cecil, whose services to the League, whose zeal for her cause, and attachment to her ideals are beyond praise, has already tabled a resolution on this subject, and the President has admonished us that it would be wise to defer detailed criticism on this

question until the Committee to which it is entrusted has reported on the subject. Now, I abide by that ruling ; but my question is concerned not with the " A " and " B " Mandates with which that Committee is concerned, but with the " C " Mandates, which the Assembly, I understand, accepted last year and passed for operation. The " C " Mandates are entrusted to certain Powers whose territories lie near the mandated areas. I will read from the Article the part which deals with the point that I wish to bring before you. It says that the Mandatories ought to administer the Mandated Territories under their own laws as integral portions of their territories—" under their own laws."

Brother and sister delegates, some of these Powers that have received the " C " Mandate have laws and regulations, and habits of administration derived from those laws and regulations, which, in effect, introduce a colour bar, make invidious distinctions between white and coloured races, and in general do not hesitate to subject coloured populations within their areas to certain hardships and, I am sorry to add, even indignities. It will be in their power to apply such laws and regulations and habits of administration, under the Mandates, to those areas.

Let us remember, in the first place, that in those areas (I am referring in particular to German West Africa) the Germans did not make a colour bar or introduce these invidious distinctions ; and, furthermore, these Powers receive Mandates and execute them on behalf of the League. To use language used in another part of the Covenant, they are to regard the liberties of their subjects as a sacred trust of civilisation. Nothing has, so far, been done to occasion any complaint on my part. I am anxious, however, to take time by the forelock, and to request these Mandatory Powers to use their wide powers with discretion, and with a due regard to the sacred character of the trust that they have undertaken. In other words, to behave worthily of the great and noble objects of the League of Nations, and not merely to be content to act in conformity with their own imperial ideas. I appeal, in particular, to my friends, Lord Robert Cecil and his worthy and distinguished colleagues in the representation of South Africa in this League, so to use their undoubted moral authority and influence that neither I nor my successor in the representation of India, nor Japan, the permanently represented Power in the Council, which has also had occasion to protest against the terms of this Mandate, will find it necessary to come on this platform and tell the Assembly that we are worse off under the trustees of the League than we were under the Germans. Either rectify matters, or put us back where we were. It would be a matter of the profoundest regret for any of us to come and speak in that fashion in the Assembly. I have no doubt that it would cause you great pain and grief to hear such a thing. I venture to think that it will also be to the Council, who have issued these Mandates, a matter of great uneasiness and searching of heart.

ANNEX 2.—Action by Sir William Meyer on the Subject of the Organisation of the Secretariat.

A.—RESOLUTION PROPOSED IN COMMITTEE IV.

"That the national composition of the Secretariat of the League and the International Labour Bureau, as set forth in the appended statements which are compiled from statistics supplied by these two offices, is eminently unsatisfactory, some States having a representation out of all proportion to their population or their contributions to the League, while others are most inadequately represented, or not represented at all.

"To remedy this state of things, it should be laid down that hereafter no country shall have a higher percentage of the staff of the Secretariat or of the International Labour Bureau than would amount to double the percentage it subscribes to the League expenses, and that where this proportion is now materially exceeded, no further recruitment shall be made from the countries in question.

"Also, that where the excess staff consists in some degree of people under purely temporary engagements, steps should be taken as soon as possible to terminate these engagements in favour of nationals of other States who have not obtained their proper representation in the offices in question."

B.—SPEECH DELIVERED BY SIR WILLIAM MEYER IN THE ASSEMBLY ON THE 1ST OCTOBER.

We have had a very full and interesting Report before us, explained in his own delightful way by my colleague, M. Georges Noblemaire. His speech has been a real intellectual treat, but we have not yet before us any Resolution on the subject, and I have come forward to fill the gap and propose one. The Resolution I have the honour of laying before you is this :—

"The Assembly, having taken note of the Report of No. 4 Committee, approves the views there set forth, and expresses its gratitude to M. Noblemaire and his colleagues of the Expert Committee for their arduous and most useful labours."

I present this Resolution with the greater pleasure in that during the very long discussion we had on M. Noblemaire's report in Committee No. 4—for I can assure you we took nothing for granted, but discussed it paragraph by paragraph and almost line by line—that in those

discussions it fell to me, as an arduous and persistent advocate of economy, occasionally to suggest that M. Noblemaire's proposals had not gone far enough. On one occasion, I remember, when I was discussing the inadequate representation of India in the Secretariat, M. Noblemaire replied that India had a very large share of the critical faculty. But these are differences in points of detail, differences on which various people may legitimately hold various views: they do not in the least affect my admiration, which I am sure is shared by all of you, for the very arduous labours, the results of which have been put before you to-day. M. Noblemaire has been far too modest to speak in detail of all the preliminary work which he and his Committee of Experts had to go through, but I can assure you it was a very great burden, and I am sure their labours will bear great fruit, and that next year, and still more in the years afterwards, we shall find a very great improvement, both in our methods of work and in the cost.

I also hope that as years go by there will be real recognition of that recommendation which M. Noblemaire put before you, that in filling up the Secretariat appointments (and of course those in the Labour Bureau also) regard should be shown to the desirability, I might almost say the equitable necessity, of giving full consideration to the claims of diverse nationalities.

I have spoken about the Secretariat, and I would like to say (though, again, I was a critic every now and then) that we in Committee No. 4 were much indebted to the Secretariat for their ready assistance, and I would also add individually to the tribute which M. Noblemaire has paid to the work of M. Thomas, the illustrious apostle of Labour. M. Thomas came before the Committee, and on any occasion when the temperature happened to be cold, he at once raised it by the warmth and fervour of his speeches. He in some cases convinced us of the soundness of his views; in others we were perhaps more doubtful, but we were all impressed by his great ability and ardent zeal.

Ladies and Gentlemen, I will not detain you longer, but will move my Resolution, which to make it quite clear, I will read out again:—

"The Assembly, having taken note of the Report of No. 4 Committee, approves the views there set forth, and expresses its gratitude to M. Noblemaire and his colleagues of the Expert Committee for their arduous and most useful labours."

ANNEX 3. — *Memorandum by Sir William Meyer, with Resolutions moved in Committee No. IV, on the subject of the Allocation of the Expenses of the League.*

MEMORANDUM.

The Reveillaud Committee's scheme is faulty in the following respects:—

(a) It brings into account population as a separate factor, although a State whose population is poor but large gets population taken into account in the consideration of its revenues.

(b) The population and revenue figures of the colonial possessions of Great Britain, France, Belgium, and Holland have not been taken into account, and yet these obtained the benefit of the League's peace, and so on.

(c) The factor of "capacity to pay" is a most difficult one to arrive at. In every country there are disputes as to the capacity to pay between various categories of taxpayers, and this is not a question which can be solved by the consideration of revenue figures going back to the year 1913, when, moreover, the limits of certain States were materially different from what they are now.

(d) As regards Federal States, the revenues of the Central Government have only, as a rule, been taken into account, which is obviously not fair to unitary States. India is specially interested in this matter seeing that her finances are now on a federal system (they were not in 1913), the revenues of the Central and Provincial Governments being now quite distinct.

If the Provincial revenues of India are taken into consideration, so should those of the Provinces or States of other Federal countries.

(e) States cannot be simply assessed on their revenue capacity, and allowance must be made for the benefits all derive from the League. The Special Committee profess to have weighted the figures resulting from revenue and population tests with this object, but this has been done arbitrarily and inadequately, seeing that some of the States will only pay about $\frac{1}{10}$ th part of the total League Budget and the next lowest class about $\frac{1}{4}$ per cent.

(f) Nor again has account been taken of the special benefits derived by States permanently represented on the Council of the League and those, for the time being, represented on the Governing Body of the International Labour Organisation. India, on the other hand, gets very small benefit from the League.

(g) Taking as a round figure for purposes of illustration a total Budget of 25,000,000 gold francs, India would, under the present Postal Union scheme, pay 1,225,000 gold francs; under the intermediate scheme suggested in the Reveillaud Committee's Report she would pay

about the same, *viz.*, 1,256,000 gold francs; but under the final scheme she would pay about 1,655,000 gold francs.

India would have no objection to a material increase in her subscription if it were arrived at on a scientific basis, but the final scheme of the Reveillaud Committee does not afford any such criterion, and consequently my Government is entirely opposed to the final scheme, but would, for the present, fall in with the intermediate scheme.

RESOLUTION I.

While paying due homage to the zealous efforts of the Special Committee, Committee IV cannot accept their final scheme as an equitable and scientific adjustment of future contributions to the League's expenses. It contains many defects by reason of the at present inevitable use of out-of-date statistics and otherwise, and as a purely provisional allocation, the intermediate scheme suggested by the Special Committee itself at the close of the Report appears to be more suitable. It is, therefore, desirable in the interests of unanimity, that this intermediate scheme should be accepted for the present, with effect from 1921, and that its replacement by really scientific methods of adjustment should be deferred till better indices as to capacity to pay, etc., are available.

RESOLUTION II.

In the event of Committee IV deciding to adopt, by a majority, the Special Committee's final scheme, the delegate for India will move the following amendments:—

(1) That greater stress be laid on the factor that abstract relative capacity to pay should be modified with reference to the benefits accruing to all Members of the League and to certain States in particular. Consequently:—

(a) All States represented as of right on the Council of the League should be placed in Class I, as was proposed at Brussels.

(b) All States which have been admitted to the Governing Body of the International Labour Organisation in the capacity of great industrial Powers should, if not already in Class I or Class II, be placed in Class II.

(c) The subscriptions in the lower categories of the scheme should be raised, so that States in Class VII shall be assessed to contributions at not less than 3 units, States in Class VI at not less than 6 units, and States in Class V at not less than 12 units.

GENERAL RESOLUTION.

This Committee pays homage to the work done, under most difficult circumstances, by the Committee of Experts.

Considering, however, that their labours were based on ancient statistics, and time did not permit them to give full examination to factors which are essential in evolving any definite allocation among the States of the League, *e.g.*, the financial position of Federal Governments, the colonies of certain Powers, the special benefits that particular States may derive from the League, and so on:

Considering also the absolute necessity for States, which are asked to pay more than at present, being able to recognise the justice of this demand:

Committee IV proposes that the Special Committee of Experts should resume its labours, and should study the problem before it with reference to more recent statistics, and to other requisite factors.

It is hoped that in this way the Special Committee will be able to arrive at a scheme which will evoke general acquiescence, and which could hold the field for a period of, say, five years.

This course is facilitated by the fact that no change in the existing allocation, which is based on the Universal Postal Union, can be carried out without amendment of the Covenant, and that such amendment must necessarily take time.

Meanwhile, it is proposed that allocations shall continue to be on the existing basis, which is sanctified by the Covenant as it stands, and has received the adhesion of all the States Members of the League.

ANNEX 4.—*Speech delivered by Sir William Meyer in the Assembly on the 3rd October, on the subject of the Financial Administration of the League.*

I desire to pay the warmest tribute in my power to my friend M. van Eysinga for the very clear and lucid report which he has submitted to us. It was not at all an easy matter. As he has indicated, our discussions in Committee No. IV were lengthy and ranged over many topics. They were a bit confused, because every now and then our thoughts were switched off some matter to which we were devoting attention by an urgent call to vote

funds for something which the Assembly had passed that morning. We also on occasion—very rarely, I must say—exercised the privilege of changing our own minds. I was filled with admiration that out of this chaotic mass, so, to speak, of decisions which we had come to, and resulting figures, M. van Eysinga has been able to produce the very clear succinct account which we have before us in the shape of his report.

I also warmly associate myself with his tribute to Sir Herbert Ames, who must have felt, sitting on our Committee, rather a weariness of the flesh, but who nobly dissembled his feelings; he was always ready to give us the information that we wanted, sometimes more than we wanted, and his accounts were presented in a very clear form. In fact, looking back, the only thing that I had not noticed on the very full statement of establishments which he presented to us was the Secretariat watch-dog! I understand that that estimable but somewhat soporific animal is on the establishment of the League and gets an allowance of 30 francs a month in consideration of the high cost of living in Geneva.

M. Thomas was very helpful to us. Last year in No. 4 Committee we were quite infants, so to speak, and I think M. Thomas considered that too much knowledge might not be good for us, so he only gave us globular estimates. We have got older and wiser this year, and M. Thomas has met all our desires for information and submitted very clear and lucid accounts.

I should also like to say that Committee No. 4 might have been sitting yet, and possibly a bit longer, if it had not been for the very excellent way in which our Chairman, M. Edwards, controlled us. He was an admirable Chairman, full of knowledge and impartiality, but also most anxious to get along, even at the cost of late night sittings.

If my friend, M. Edwards, should ever be out of a job I would recommend him to seek employment under Lord Northcliffe as a champion hustler. We had very long discussions on these estimates, as M. van Eysinga has told you, and we have been able to make considerable economies. Last year's budget amounted to 21,250,000 gold francs; that for this year, including the eleventh-hour estimate for Albania, amounts to 20,859,000 gold francs, after providing for supplementary estimates. But I want you to bear in mind that a large part of this economy is not of a permanent character. That is brought out on page 6 of the Report, where it is stated that it has been possible to deduct from the Budget of the International Labour Office an item amounting to 1,364,039 gold francs, representing the savings obtained or expected by the Labour Office up to the end of 1921. It was quite right under present circumstances to take that amount as an abatement; but it is obviously a windfall which cannot recur, whereas most of our charges will do so. Without that windfall our Budget for 1922 would have been a little more than for 1921 instead of less.

India was much to the fore in criticisms of the Budget last year, both in the Fourth Committee and in the Assembly, and I think we may say that those criticisms have resulted in a material improvement. I would specially note the fact that the outside Committee of Control which we suggested last year, but at that time fruitlessly, has now come to birth, and is going, I believe, to produce most excellent results. Remember that the sun rises in the east, and the light only comes to the west a little later. I and some others would have preferred economies this year which go beyond those that have been adopted, but I am not going to condemn the Budget because the proposals for these economies have not found acceptance. I do hope, however, that what may be deemed our folly to-day will be accepted as the wisdom of to-morrow. I entirely associate myself with what has been said in the report and by M. van Eysinga concerning the difficulties we have had with regard to fresh claims which constantly make their appearance, some of which have been passed by the Assembly on the independent report of other Committees. I am very glad that the Fourth Committee agreed unanimously to recommend the procedure that is set forth in the report, and its adoption, I am sure, will materially facilitate the regular control, and, I may add, lighten the burdens of the Secretariat. Take, as an instance, the matter of which M. van Eysinga has spoken and which was brought to our notice this morning—that of the estimate for the Albanian Enquiry. M. van Eysinga has spoken of it in a very restrained manner, considering the trouble it has caused. After all the Budget figures were tabulated and printed, we had a resolution proposed by Lord Robert Cecil—*ex Africa semper aliquid novi*—involving an addition of 100,000 francs in respect of this Committee of Enquiry in Albania. I should like in passing to pay a tribute to the universal genius of the noble Lord who represents South Africa. He is a citizen of the world, and although his country is far distant, he takes the most acute interest in the affairs of Europe and the Far East, including such lands as Albania and Armenia, and Lithuania and Russia; he busies himself in the prevention of poison gas, blockade, and other matters of international concern; but I do most respectfully wish to say, while paying homage to these manifold activities, that one can generally predict of them that in one way or another they will mean an increase in expenditure. On the other hand, in the Second Committee, I found that the senior-representative of South Africa there was quite an austere economist on occasion and most laudably anxious that the League in general, and his country in particular, should not have its expenditure increased. I entirely agree with M. van Eysinga as to the absolute necessity for economies, especially in the matters connected with our technical organisations. It is an ungrateful task, as I said in the Fourth Committee, to take this line, but, after all, it is in the best interests of the League. We have to remember two great points. One of these is, as my friend M. Hanotaux told us in the Second Committee, that we must take very great care in respect

to these international organisations not to foster the idea that the League aspires to be a super-State, and to meddle with the interior affairs of other countries. The other is that additions to the Budget are very closely scrutinised when the time comes to pay for them by the Parliaments of the world, and especially by these very distant lands, who—I exclude South Africa, of course—take perhaps a very moderate interest in the affairs of the League and are not conscious of deriving any great benefit from its activities. It is most essential that we should not give a handle to those who attack the League on the ground of increasing extravagances, that we should be free from this reproach and should show them that we are thoroughly desirous of keeping down expenses as far as may be, and that we are going to try and combine economy with efficiency. I will not take up your time longer. Last year I had to be a severe critic; this year, speaking on behalf of India, I give a hearty welcome to the Budget as presented, and to the reforms that have been effected, and express the confidence that these reforms will, as time goes on, be extended still further.

PRINTED BY
SUPERINTENDENT GOVERNMENT PRINTING, INDIA
DELHI

REPORT

of the

DELEGATES OF INDIA

to the

THIRD SESSION OF THE ASSEMBLY

of the

LEAGUE OF NATIONS

(1922)

TABLE OF CONTENTS.

	PAGE
INTRODUCTORY - - - - -	4
India's claim to representation on the Governing Body of the International Labour Office - - - - -	4
Matters dealt with by Committee I.—CONSTITUTIONAL AND JUDICIAL QUESTIONS:—	
Amendments to the Covenant:—	
(i) Article 10 (Guarantee against external aggression) - - - - -	7
(ii) Article 18 (Registration of Treaties) - - - - -	8
Procedure of Conciliation (Articles 12 and 15 of the Covenant) - - - - -	8
The allocation of the Expenditure of the League - - - - -	10
Contribution of Salvador to the Expenses of the League - - - - -	12
Indemnities payable to Judges and Technical Assessors of the Permanent Court of International Justice - - - - -	13
Increase in the number of non-Permanent Members of the Council - - - - -	13
Procedure for election of non-Permanent Members of the Council - - - - -	14
Question of the date of the Meeting of the Assembly - - - - -	16
Amendment of Article 14 of the Rules of Procedure of the Assembly - - - - -	16
Amendments to Articles 4 and 7 of the Rules of Procedure of the Assembly - - - - -	16
Ratification of Amendments to the Covenant - - - - -	17
Matters dealt with by Committee II.—THE WORK OF THE TECHNICAL ORGANISATIONS OF THE LEAGUE:—	
The Provisional Economic and Finance Committees - - - - -	17
The Advisory and Technical Committee on Communications and Transit - - - - -	17
The Health Organisation of the League, including the Temporary Epidemic Commission - - - - -	17
Intellectual Co-operation - - - - -	18
The Pan-American Congress at Santiago - - - - -	20
Matters dealt with by Committee III.—REDUCTION OF ARMAMENTS - - - - -	20
Matters dealt with by Committee IV.—BUDGET AND FINANCIAL QUESTIONS, VIZ.:— 24-27	
Audit of Accounts for the Third Fiscal Period (1921).	
Budget for 1923, including the Budget of the International Labour Organisation.	
Report of the Commission of Control (now called the Supervisory Committee).	
Final Resolution on the Financial Administration of the League.	
Expenses of the Permanent Court of International Justice.	
International Labour Office: Offer of site from the Swiss Government.	
Matters dealt with by Committee V.—SOCIAL AND GENERAL QUESTIONS:—	
Esperanto as an International language - - - - -	27
Traffic in opium - - - - -	28
Deportation of Women and Children in Turkey and adjacent countries - - - - -	31
Traffic in Women and Children - - - - -	32
Russian Refugees - - - - -	34
Trade in Obscene Publications - - - - -	35
Greek and Armenian Refugees from Asia Minor - - - - -	36
Repatriation of Prisoners of War - - - - -	37
Matters dealt with by Committee VI.—POLITICAL QUESTIONS:—	
Request for Admission to the League by Hungary - - - - -	37
Protection of Minorities - - - - -	38
Mandates. Bondelzwart Rebellion in South Africa - - - - -	39
Slavery in Africa - - - - -	41
Position in the Near East - - - - -	41
Complaints by the Lithuanian Government relative to the treatment of the non-Polish population in the territory of Vilna - - - - -	42
National Home for Armenians - - - - -	43
Georgia - - - - -	43
Status of Eastern Galicia - - - - -	43
Election of the non-Permanent Members of the Council - - - - -	43
Question of rehabilitating the finances of Austria - - - - -	43
Concluding Observations - - - - -	43

LIST OF APPENDICES.

Appendix I.	Lists of States represented and of Delegations	45
Appendix II. Reports of Committees of the Assembly, and other connected documents:—		
ANNEX I.	Rules of procedure of the Assembly (as amended by the Second and Third Assemblies)	48
ANNEX II.	Regulations for the Financial Administration of the League of Nations	51
ANNEX III.	Report of the First Committee on the Allocation of the Expenses of the League (including Report submitted to the First Committee by the mixed Sub-Committee instructed to examine the Reveillaud Scheme) Addendum. Report of the Jurists' Sub-Committee on the point of order opposed by India to the discussion of the Report of the Committee on Allocation of Expenses	57 59
ANNEX IV.	Report by First Committee on the contribution of the State of Salvador to the Expenses of the League	61
ANNEX V.	Report by the Second Committee on the work of the Finance and Economic Committee	64
ANNEX VI.	Report by the Second Committee on the Organisation for Communications and Transit	67
ANNEX VII.	Report by the Second Committee on the work of the Health Organisation of the League	70
ANNEX VIII.	Report by the Third Committee on the Reduction of Armaments	76
ANNEX IX.	Report of the Fourth Committee on the Audited Accounts (1921), the Budget (1923), the Reports of the Commission of Control (Supervisory Commission), and miscellaneous financial questions	85
ANNEX X.	Extract from the Report of the Fifth Committee on the Traffic in Women and Children. Signatures, Ratifications of, and adhesions to the Arrangement of 1904, the Convention of 1910, and the Convention of 1921. (The situation to date)	91
ANNEX XI.	Report by the Fifth Committee on the Traffic in Opium and other dangerous drugs	92
ANNEX XII.	Draft Convention of 1910 regarding obscene publications, referred to in Assembly Resolution 25 of 28th September 1922	96
Appendix III.		
(a)	Speeches by M. de Jouvenel and Mr. Fisher, on Disarmament, in the Assembly	98
(b)	Proceedings of the eighth meeting of the Third Committee	102
Appendix IV. Certain speeches by the Indian Delegates in the Assembly:—		
ANNEX I.	Viscount Chelmsford, on Opium (18th Sept.)	109
ANNEX II.	H.H. the Maharajah Jam Saheb of Nawanagar, on Opium (19th Sept.)	111
ANNEX III.	Sir Sivaswamy Aiyer, on Mandates (20th Sept.)	112
ANNEX IV.	H.H. the Maharajah Jam Saheb of Nawanagar, on Minorities (21st Sept.)	113
ANNEX V.	H.H. the Maharajah Jam Saheb of Nawanagar on the grant for intellectual co-operation (29th Sept.)	115
Appendix V.	Speech by Viscount Chelmsford to the Council on the claim of India to be declared one of the eight members of the International Labour Organisation	115
Appendix VI.	List of the Resolutions of the Assembly	118
Appendix VII.	Index to Resolutions, Recommendations, and Decisions of the Assembly, in the course of its Third Session	119

REPORT OF THE DELEGATES OF INDIA TO THE THIRD ASSEMBLY OF THE LEAGUE OF NATIONS (1922).

TO THE RIGHT HONOURABLE VISCOUNT PEEL, G.B.E., HIS MAJESTY'S SECRETARY OF STATE FOR INDIA.

My Lord,

We beg to submit our report on the proceedings of the Third Session of the Assembly of the League of Nations at Geneva, at which we had the honour to represent India.

2. At the outset, we think it fitting to make some reference to the question of India's claim to be admitted as one of the Eight States of Chief Industrial Importance, entitled to representation on the Governing Body of the International Labour Office under Article 393 of the Treaty of Versailles, as this question, though not one with which the Assembly was concerned this year, was under consideration by the Council during the period of our stay at Geneva, and was in fact the question with which we had to deal in which Indian interests were affected most directly and to the greatest extent. The Indian claim to be one of the eight States of chief industrial importance had, it is hardly necessary to recall, been *sub judice* for a considerable time past. It so happened that the Council of the League, having received the report of a Committee, presided over by M. A. Fontaine, appointed by them to advise on the criteria to be adopted in deciding this question, were about to resume consideration of the matter when we arrived at Geneva, and the first Indian delegate was commissioned by you to state the Indian claim before the Council. A memorandum was drawn up and submitted by the Indian Delegation jointly criticising the report of the Committee, and Lord Chelmsford further obtained permission to explain the Indian case before the Council in person. A verbatim report of his speech will be found in Appendix V. The Council also decided to hear the Polish and Swiss representatives (M. Askenazy and M. Motta respectively). Neither made much attempt to prove the industrial importance of the country which they represented by statistics, relying mainly on political arguments; the Polish representative stressed the agricultural importance of Poland and M. Motta urged that the Council might postpone a decision in the matter on the chance of the forthcoming Labour Conference recommending the amendment of the provisions of the Treaty regarding the composition of the Governing Body. We are glad to be able to state that, on the 30th September, the day on which the Assembly broke up, the Council finally reached a decision in favour of India, thus at last according long delayed recognition of her right to a place among the great industrial nations of the world. The text of the Council's decision is as follows :—

"Considering that the claims made to it by India and Poland, and the objections made by various other countries in regard to the list of the eight Members of the International Labour Organisation of chief industrial importance which was prepared by the Organising Committee of the first general Conference of the International Labour Organisation and employed for the constitution of the Governing Body of the Labour Office in 1919, have raised a general question as to which are the eight Members of chief industrial importance,

"And considering that by the fourth paragraph of Article 393 of the Treaty of Versailles and the corresponding Articles of the other Treaties of Peace, this question is to be decided by the Council,

"Decides that the eight Members of the International Labour Organisation which are of the chief industrial importance are at present, in the alphabetical order of the names in French: Germany, Belgium, Canada, France, Great Britain, India, Italy and Japan.

"In accordance with the principle of the resolution adopted by the Council at San Sebastian on 5th August 1920, the present decision is given for the purpose of the reconstitution of the Governing Body of the International Labour Office, which is to be effected by the Fourth General Conference of the International Labour Organisation; and the decision is not intended to affect the composition of the Governing Body as constituted by the First Conference."

3. The proceedings of the Assembly were opened on the 4th September by M. da Gama (Brazil), the Acting President of the Council, and the Assembly proceeded at once to the election of a President. M. Edwards (Chili) was elected, obtaining 42 votes out of 44. M. Edwards proved himself throughout to be a most capable President. There were 47 States, including Hungary, represented at the Assembly this year, no representatives appearing from Argentine, Honduras, Nicaragua, Salvador and Peru. As explained in para. 72 below, Hungary was admitted on the 18th September. A list of the representatives of each State will be found in Appendix I.

4. During the first week the proceedings in the Assembly were limited to purely formal business and to the general debate on the report of the work of the Council and Secretary-General for the past year. His Highness the Jam Sahib of Nawanagar was a member of the Committee appointed to examine the credentials of delegates, and he was also chosen to assist in the conduct of the election in the Assembly of the Chairman of the Fourth Committee.

5. The President suggested that, in discussing the report of the Council, it might be taken section by section, but there was some opposition to this proposal and the debate therefore, as in past years, took the form of general speeches ranging over the whole field of the League's activities. The President's suggestion was referred to the General Committee (*see* Article 7 of the Rules of Procedure), and at the last meeting of the Assembly that Committee circulated a recommendation that, if possible, the President should arrange beforehand with delegates wishing to speak on the report, so as to ensure that a general debate should take place first, followed by discussion on certain specific subjects in the report. Whether it will be possible to give effect to this suggestion is doubtful. In any case no decision was taken on the point, and therefore the Fourth Assembly will be in no way bound as to the procedure to be followed next year.

No points were raised in the general debate on the report in which Indian interests were specially concerned, and we do not think it necessary to attempt to summarise the course of the debate. The most striking speeches were those by Lord Robert Cecil (South Africa), M. Motta (Switzerland), Lord Balfour (British Empire), M. Hymans (Belgium) and M. Hanotaux (France); the two former taking the general line that all the big problems affecting the tranquillity of the world, such as reparations, should be referred for the consideration of the League, and the three latter putting with great force the view that the power of the League must advance by slow continuous growth and that it was impossible for it in its infancy to grapple with problems with which it was not yet strong enough to deal. Some advance in the direction of the submission of great problems to the League is marked by the subsequent course of proceedings in Committee and Assembly, culminating in the Resolutions regarding the Mutual Guarantee Treaty and the possibility of the problem of Reparations and inter-allied debts being at some time referred to the League, the Resolution regarding the Near East and the Council's work in connection with the Austrian problem (*see* paras. 49, 80 and 84 below).

6. Following the precedents of former years the Assembly appointed six Committees, as shown below, each Member of the League being free to appoint one representative on each Committee. It will probably be convenient, in giving an account of the proceedings on each question, to follow the grouping adopted in the assignment of work to the Committees.

All the proceedings of the Committees (though not of all the Sub-Committees) were in public, though the right to hold private sittings was maintained by taking a formal decision at the first meeting of each Committee to meet in public.

COMMITTEE No. I.

Constitutional and Judicial Questions.

Chairman : M. Scialoja (Italy); *Vice-Chairman* : M. de Peralta (Costa Rica);
Representative of India : Sir Sivaswamy Aiyer.

Subjects dealt with by Committee :—

Amendment to Article 10 of the Covenant.

Amendment to Article 18 of the Covenant.

Procedure of Conciliation (Articles 12 and 15 of the Covenant).

The Allocation of the Expenditure of the League.

Contribution of Salvador to the Expenses of the League.

Indemnities payable to Judges and technical assessors of the Permanent Court of International Justice.

*Increase in the number of non-permanent Members of the Council.

*Selection of the non-permanent Members of the Council. (Chinese proposal.)

*Article 1 of Rules of Procedure (Date of meeting of Assembly).

*Article 14 of the Rules of Procedure of the Assembly.

*Articles 4 and 7 of the Rules of Procedure of the Assembly.

*Ratification of Amendments to the Covenant.

* Items referred to the Committee during the proceedings of the Assembly.

COMMITTEE No. II.

The Work of the Technical Organisations of the League.

Chairman : M. Chodzko (Poland); *Vice-Chairman* : M. de Brouckere (Belgium);
Representative of India : H.H. the Maharaja Jam Saheb of Nawanagar.

Subjects dealt with by Committee :—

- The Provisional Economic and Financial Committees.
- The Advisory and Technical Committee on Communications and Transit.
- The Health Organisation of the League, including the work of the Epidemic Commission.
- Intellectual Co-operation.
- *The Pan-American Congress.

COMMITTEE No. III.

Reduction of Armaments.

Chairman : M. Cosme de la Torriente y Peraza (Cuba); *Vice-Chairman* : M. Holsti (Finland); *Representative of India* : Viscount Chelmsford.

Subject dealt with by the Committee :—

- Reduction of Armaments.

COMMITTEE No. IV.

Budget and Financial Questions.

Chairman : M. Zahle (Denmark); *Vice-Chairman* : Jonkheer van Eysinga (Netherlands); *Representative of India* : H.H. the Maharaja Jam Saheb of Nawanagar.

Subjects dealt with by the Committee :—

- Budget for 1923, including the Budget of the International Labour Organisation.
- Audit of Accounts for the third fiscal period (1921).
- Report of the Commission of Control (now called the Supervisory Committee).
- Final Resolution on the Financial Administration of the League.
- Expenses of the Permanent Court of International Justice.
- *International Labour Office : Offer of Sites from the Swiss Government.

COMMITTEE No. V.

Social and General Questions.

Chairman : The Hon. William S. Fielding (Canada); *Vice-Chairman* : Mlle. Bonnevie (Norway); *Representative of India* : Viscount Chelmsford.

Subjects dealt with by Committee :—

- Esperanto as an International Language.
- Traffic in Opium.
- Deportation of Women and Children in Turkey and adjacent countries.
- Traffic in Women and Children.
- Russian Refugees.
- Trade in obscene Publications.
- *Greek and Armenian Refugees from Asia Minor.
- *Repatriation of Prisoners of War.

COMMITTEE No. VI.

Political Questions.

Chairman : Jonkheer H. Loudon (Netherlands); *Vice-Chairman* : M. da Gama (Brazil); *Representative of India* : Sir Sivaswamy Aiyer.

Subjects dealt with by Committee :—

- Request for admission to the League by Hungary.
- *Protection of Minorities.
- *Mandates.
- *Slavery in Africa.
- *Bondelzwart Rebellion (South Africa).
- *Position in the Near East.

* New items placed on the agenda and referred to the Committee during the proceedings of the Assembly.

- *Protest of the Lithuanian Government against arbitrary acts committed by the Polish Government in connection with the territory of Vilna subsequent to the recommendation of the Council dated 13th January 1922.
- *National Home for Armenians.
- *Georgia.
- *Status of Eastern Galicia.

7. In addition to these six Main Committees, there were also a General Committee (vide Article 7 of the Rules of Procedure of the Assembly—Appendix II., Annex I.) and an Agenda Committee.

The Agenda Committee, by direction of the Assembly, considered and reported on the advisability of placing upon the agenda various proposals submitted to the Assembly during its session and on the retention on the agenda of a new question submitted by the Lithuanian Government, against which the Polish Delegation protested.

The Committee reported in favour of the inclusion of all the new questions, including the Lithuanian question, and their recommendations were adopted by the Assembly, the questions being referred to the appropriate Committees. These questions are indicated by an asterisk in the list above.

Work of Committee No. 1.—Constitutional and Judicial Questions.

AMENDMENTS TO ARTICLE 10 OF THE COVENANT.

8. It will be remembered that at the First Assembly the Canadian Delegation had

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

proposed that Article 10 of the Covenant† should be removed, and that both in the First and Second Assembly wide differences of opinion showed themselves, both as to the precise meaning of this Article and

as to its value. The question had been left over for further consideration by the Third Assembly. The Committee on Amendments reported to the Third Assembly that no new facts had emerged with reference to this Article since its consideration last year. The Canadian Delegation considerably modified the attitude which they had adopted in previous years, recognising that it was impossible to secure the withdrawal of this Article, and contented themselves with proposing that an addition should be made to the end of the Article of the following words:—

“Taking into account the political and geographical circumstances of each State,”

with a further additional paragraph:—

“The opinion given by the Council in such cases shall be regarded as a matter of the highest importance, and shall be taken into consideration by all Members of the League, who shall use their utmost endeavours to conform to the conclusions of the Council, but no member shall be under an obligation to engage in any act of war without the consent of its Parliament, Legislature, or other representative body.”

As in previous years, there was considerable divergence of views on this question.

Mr. Struycken (Netherlands) claimed that the situation had been materially altered by the fact that the Third Committee were now examining a plan for a mutual guarantee treaty in connection with disarmament, which obviously was closely related to the question of Article 10 of the Covenant. M. Rolin (Belgium) actually suggested that the question of the revision of Article 10 should be studied by the Temporary Mixed Commission on Armaments. Sir Cecil Hurst (British Empire) opposed this suggestion. France, Roumania, Greece, Poland and Persia expressed themselves strongly in favour of the retention of Article 10. Most seem to desire it to remain unmodified, but there was no very strong opposition to and some agreement with the new Canadian proposals.

The divergence of views was sufficiently wide for it to become apparent that the question must again stand over for another year, and the Committee finally adopted a Resolution proposed by Sir Cecil Hurst, which was in due course approved by the Assembly, and is shown below. The words “in all its bearings” in this Resolution

* New items placed on the agenda and referred to the Committee during the proceedings of the Assembly.

were intended to satisfy those who considered that the question was intimately linked with that of the proposed Mutual Guarantee Treaty. The view was put forward in the Assembly by M. Barthélémy (France) that amendment of this Article of the Treaty, to which it was known very grave exception had been taken in the United States, might well be left until there were some signs of the United States being willing to join the League. Such modifications could then be made as would be likely to meet American opinion on this subject. The Canadian Delegation explained, however, that they were actuated by other motives in wishing to obtain amendment of this Article, as they considered it undesirable to retain in the Covenant an Article on the meaning of which nobody could agree, and which apparently might commit a country to war without the consent of its Parliament. The text of the Resolution passed by the Assembly is as follows:—

Assembly
Resolution
No. 15,
(23 Sept.).

“The Assembly of the League of Nations decides that the Canadian proposal with reference to Article 10 of the Covenant shall be adjourned until the Fourth Assembly, in order that the subject may be considered in all its bearings. The Assembly leaves it to the Council to decide on the steps to be taken to provide for a detailed study of the Canadian proposal before the meeting of the Fourth Assembly.”

AMENDMENT OF ARTICLE 18 OF THE COVENANT.

9. As was the case last year, considerable divergence of views was expressed on this subject. Some members thought that, as it was clear that the provisions of Article 18 (requiring registration and publication of all international treaties before they become binding) were not being, and could not be, literally carried out, and as suggested modifications had already been drawn up at the last Assembly with a view to defining in a more practical manner the obligations under this section, action should now be taken to amend the Article. On the other side the view was expressed that it was not possible, at all events at present, to give any practical definition of what ought, or ought not, to be registered, that the number of treaties which were being registered with the Secretariat were showing signs of distinct increase, and that it would be far better to wait until there had been time for further practical experience to be gained on this subject. The Committee finally adopted the Resolution given below, which was approved by the Assembly without discussion:—

Assembly
Resolution
No. 16,
(23 Sept.).

“Considering that, according to the information furnished by the Secretariat, the practice of presenting for registration and publication treaties and international engagements is becoming more and more familiar to the Governments of Members of the League, and desiring to profit by experience gained over a longer period before reopening the discussion of a possible amendment of Article 18 of the Covenant, decides to postpone such a discussion to a future session of the Assembly.”

PROCEDURE OF CONCILIATION.

10. In accordance with the recommendation of the Second Assembly, the Council had appointed a special Committee to investigate the question of drawing up an outline scheme for a procedure of conciliation which might form a model for States which were prepared to agree to adopt some such procedure in settling disputes between themselves. The Committee consisted of M. Adatci (Japan), M. Babinski (Poland), M. de Visscher (Belgium), M. Fortoul (Venezuela), M. Struycken (Netherlands), and M. Uden (Sweden). The recommendations of this Committee formed the basis of the Resolution below, adopted by the Third Assembly. Essential features of their proposals are that there should be no obligation on States to form Conciliation Commissions, the whole system being optional, and that no amendment of the Covenant is required. The First Committee, working through a sub-Committee, made various small alterations in points of detail in the proposals of M. Adatci's Committee, but the only changes of importance were to alter the form of the Resolution so as to make it plain (i) that the procedure which was suggested for adoption involved special conventions between particular States, and not, at all events at present, a general treaty open to adhesion by any States who wished to do so; and (ii) that any such convention cannot in any case impede the operation of Article 15 of the Covenant. The following Resolution was finally adopted by the Assembly with very little discussion:—

PREAMBLE.

Assembly
Resolution
No. 10,
(22 Sept.).

With a view to promoting the development of the procedure of conciliation in the case of international disputes, in accordance with the spirit of the Covenant, the Assembly recommends the Members of the League, subject to the rights and obligations mentioned in Article 15 of the Covenant, to conclude conventions with the object of laying their disputes before Conciliation Commissions formed by themselves.

The organisation of these Commissions, their competence and the procedure to be followed before them, shall be freely determined by the Contracting Parties. The Parties are recommended in this connection to look for guidance to the provisions contained in the Hague Convention of 18th October

1907, for the pacific settlement of international disputes, and, in particular, to the provisions concerning the hearing of witnesses, procedure by employment of experts, rogatory commissions, inspection of places, replacement of members of the Commission.

The rules laid down in the following Articles in particular, are recommended to the Members of the League for adoption. At the request of the Members concerned, the Secretary-General may offer them the assistance of the Secretariat for the conclusion of conciliation conventions.

Apart from the other means placed at its disposal by the Covenant to assure the maintenance of peace, the Council may, if necessary, have recourse to the service of the Conciliation Commission formed by the Parties; it may invite them to bring their dispute before the Commission, or it may refer to the Commission any dispute which may have been submitted to it by one of the Parties in virtue of Article 15 of the Covenant.

A conciliation convention made between two States of which one only is a Member of the League of Nations, or of which neither is a Member of the League, will be applicable subject to the procedure established by Article 17 of the Covenant.

The Assembly expresses the hope that the competence of Conciliation Commissions will extend to the greatest possible number of disputes, and that the practical application of particular Conventions between States, as recommended in the present resolution, will in the near future make possible the establishment of a general Convention open to the adhesion of all States.

RULES.

Article 1.

The Conciliation Commission shall be constituted as follows:—

Each Party shall appoint two members, one from among its own nationals, the other from among the nationals of a third State. The two Parties shall jointly appoint the Chairman of the Commission from among the nationals of a third State.

The Parties may appoint the members of the Commission beforehand and for a period which they themselves shall determine. They may also confine themselves to appointing only the Chairman beforehand, in which case the other members shall be appointed after consultation with the Chairman at the moment when a dispute arises, their mandate being limited to the settlement of such dispute.

Article 2.

Disputes which fall within the competence of the Conciliation Commission shall be referred to it for consideration by means of a notification made by one of the Contracting Parties to the Chairman of the Commission and to the other Party. The notification shall be communicated to the Secretary-General of the League.

If all the members of the Commission have been appointed beforehand, the Chairman shall convene the Commission as soon as possible. If they have not been so appointed, the Chairman shall invite the Parties to appoint the other members within a period laid down by the Convention.

Article 3.

The Conciliation Commission shall meet at the seat of the League, unless the Parties have fixed a different place of meeting in the Convention made by them or for the purposes of a particular case. The Commission, if it considers it necessary, may meet at a different place. The Commission may in all circumstances ask the Secretary-General to render it assistance in its work.

Article 4.

Subject to the right of the Parties and of the Commission itself to extend this period, the Conciliation Commission shall complete its work within a period of six months from the day on which it first met.

Article 5.

Both Parties shall be heard by the Commission.

The Parties shall furnish the Commission with all the information which may be useful for the enquiry and the drawing up of the report, and shall in every respect assist it in the accomplishment of its task.

The Commission shall itself regulate all details of procedure not provided for in the Convention, and establish rules of procedure for the obtaining of evidence.

Article 6.

The Commission shall take its decisions by a majority vote of its members; the presence of all the members is required for a valid decision. Each member shall have one vote.

Article 7.

The Commission shall make a report on each dispute submitted to it. In proper cases the report shall include a proposal for the settlement of the dispute. The reasoned opinion of the members who are in the minority shall be recorded in the report.

The Chairman of the Commission shall immediately bring the report to the knowledge of the Parties and of the Secretary-General of the League.

Article 8.

The report of the Conciliation Commission may be published by one of the Parties before the settlement of the dispute only if the other Party gives its consent.

The Commission may, by unanimous vote, decree the immediate publication of its report.

Article 9.

Each Party shall pay the allowances of the members of the Commission which it has appointed and shall pay half of the allowances of the Chairman.

Each Party shall bear the costs of procedure which it has incurred and half of those which the Commission may declare to be joint costs.

ALLOCATION OF THE EXPENDITURE OF THE LEAGUE.

11. It was decided when the agenda was being adopted by the Assembly that this question should be referred to the First Committee, and that the First Committee should consult the Fourth Committee when it was necessary to do so. The vagueness of this decision gave rise to considerable doubts as to the relative functions of the First and Fourth Committees, and was productive of great inconvenience. The proposals submitted for consideration this year were those in the Second Reveillaud Committee Report dated 13th July 1922. They differed from the scale adopted last year in that deductions had been made from eight countries which possessed territories devastated by the war, 15 countries had had their units increased on various grounds not stated (four getting some offset by reason of a devastation deduction), and 14 small States had had their units decreased, 10 being placed in a lowest class of one unit, two units being previously the minimum; 18 States (including India) remained unchanged. The total number of units (942) also remained unchanged. Effective criticism was rendered more difficult as the Report gave practically no reasons for these recommendations.

12. In view of the very grave objections from the Indian point of view to the fundamental basis of the Reveillaud scale of allocation, which apply with equal force to the modified Reveillaud scale, and as India appeared unlikely to obtain any effective support in her objections to this basis, it seemed desirable to start, at all events, by adopting an attitude of uncompromising opposition. Sir Sivaswamy Aiyer accordingly immediately raised a point of order when discussion of the question was opened in the First Committee, and contended that under Rule 4 (5) of the Rules of Procedure adopted by last year's Assembly (*vide* Annex (i) of Appendix II.), it was not competent for this Assembly to consider the latest report of the Reveillaud Committee, which had not been circulated four months before the meeting of the Assembly. In raising this point support was received from the Venezuelan delegate. The argument was immediately put forward that the Second Reveillaud scheme was not really a new proposal, being merely a modification of a scheme of which the Assembly was already seized, but the question was clearly so important that it was decided to submit it for examination by a Sub-Committee of Jurists consisting of Sir Cecil Hurst (British Empire), MM. Struycken (Netherlands), Rolin (Belgium), Urrutia (Colombia), and Noblemaire (France). It was obviously vital to the interests of the League that the Third Assembly should succeed in getting passed some scheme of allocation to take the place of the Postal Union scheme. Under the latter scheme many small States are quite unable to pay the contribution at which they are assessed, while several of the Great Powers are assessed at amounts far less than those which they are ready to pay. Great interest was accordingly taken in the attitude adopted by India on this question, in which it seemed likely that the delegation was in a position (quite apart from the point of order) to block acceptance of the second Reveillaud scheme if it so desired. As there was no very great chance of getting any other scheme accepted unanimously by the Third Assembly, considerable apprehension was no doubt felt at the attitude which we considered it necessary to adopt.

13. Simultaneously with the appointment of the Sub-Committee referred to above, a further Sub-Committee of Committee I. was nominated to examine the details of the proposed allocation scheme in the event of our being overruled on the point of order. Sir Sivaswamy Aiyer was nominated as a member. In view of the fact that an Indian representative had been placed on the Sub-Committee, it appeared necessary, if we were to avoid a charge of being simply obstructive, to attempt to lay before the Sub-Committee the outline of some scheme based on the principle (which the Government of India had accepted) of taking net revenue as the fundamental test, in a form which would have had some slight chance of being accepted in place of the Second Reveillaud scheme. It became unnecessary, however, to carry through this somewhat difficult task owing to an agreement which was reached with the representatives of the United Kingdom and of the Dominions. At the suggestion of Lord Balfour, it was agreed that as the total of the contributions of all parts of the British Empire did not differ very materially, whether assessed under the Postal Union scheme, the First Reveillaud scheme or the Second Reveillaud scheme, it was desirable in the interests of the League that the Empire as a whole should accept the contributions under the Second Reveillaud scheme, and leave the question of the actual division of the total contribution between the various parts of the Empire to be settled by mutual agreement between them. To this proposal we agreed, and obtained from you telegraphic confirmation of our action.

14. The Sub-Committee, which had considered the preliminary point of order, overruled it on the technical ground that the question should have been raised, not in Committee, but in the Assembly itself, at the time the agenda was adopted. (See Addendum to Annex (iii) of Appendix II.) This view was criticised by several members of the First Committee, and it is probable that if the Indian Delegation had maintained their original attitude their point of order would have been upheld. But it was no longer necessary to press the point in view of the decision arrived at in the meantime, and the report of the Sub-Committee was accordingly accepted by the First Committee. On the 13th September, in the First Committee, on resumption of the discussion of the allocation question, Lord Balfour announced the decision of the British Empire as a whole and made it plain that this offer was subject to two conditions: (1) that the Second Reveillaud scheme should be accepted by the Assembly, and (2) that the scheme would be provisional for one year only, to allow time for a more scientific scale to be devised. There was some opposition to the Second Reveillaud scale in the Committee from Sweden, Venezuela, Cuba, Luxembourg and Lithuania, all of whose contributions were to be increased. France declared that she accepted the Second Reveillaud scale, and would be pleased to pay in the highest class of 95 units when her devastated territories had been restored and reparations had been paid. The Swiss, Colombian, Chinese, Japanese (subject to adoption of a final scheme later on), Spanish, Bulgarian and Danish Delegations all accepted the new scale. Poland announced that she was prepared to have her contribution, which was temporarily reduced last year for special reasons, raised from 15 to 25 units.

15. Further examination of the question was conducted by the afore-mentioned Sub-Committee, of which Sir Sivaswamy Aiyer was a member, sitting jointly with a Sub-Committee of Committee IV., under the chairmanship of M. Palacios (Spain). As a matter of fact, the only question of importance before this Sub-Committee was that of the distribution of the 10 units liberated by Poland among those countries which appeared to be likely to carry their opposition to the Second Reveillaud scheme to the length of voting against it in the Assembly if some reduction was not made in their contribution. Japan in the Sub-Committee presented a claim for a reduction, explaining that her attitude in the main Committee had been misunderstood. The result of the Committee's deliberations is given in the report of the First Committee on this question printed in Annex (iii) of Appendix II. Twelve units were taken off the contribution of the claimants, and Hungary (newly admitted) was assessed at four, making the total number of units 944 instead of 942 (excluding the 35 units nominally assigned to the Argentine). The Second Reveillaud scheme has, by this process of bargaining with States which considered that they were assessed too high, been deprived of any appearance of being based on some general principle, and it is more than ever desirable that some more satisfactory scheme of allocation should be devised.

16. The other point of importance arising in connection with the allocation question was that of the period for which the revised scale should operate. A resolution was moved in the First Committee to the effect that the revised scale should take effect from the 1st January 1923, and should remain in force until the Assembly had adopted a revised scale. Objection was taken to this by Sir Sivaswamy Aiyer on the ground that if a resolution were adopted in this form there was a danger that the Assembly would postpone grappling with the difficult question of the adoption of a revised and more scientific scale, and that the present admittedly provisional and unscientific scale might by lapse of time become very difficult to displace, and he urged that there should be a time-limit of, at all events, not more than three years. At the instance of the Chairman of the Committee it was decided that it would be safer that the operation of the scheme should be definitely stated to be for one year only in the first instance. We thus attained the object which we desired. The Resolution, of which the text is given below, was accordingly adopted by the Committee, and also, practically without discussion, unanimously in the Assembly, the Cuban delegate, who had been the sole dissentient in the Committee, abstaining from voting:—

“ Considering that the present position of the finances of the League of Nations makes it imperatively necessary to modify as soon as possible the system of allocation of the expenses of the League of Nations among its Members and to replace the scale of the Universal Postal Union now in force by a more just and equitable scale;

Assembly
Resolution
No. 37
(30 Sept.)

“ And considering that the scale annexed* to the present resolution has been recognised by general consent as establishing a more just and equitable system for the allocation of the said expenses, and that

* See page 57.

it is recognised to be desirable to secure the immediate application of this scale as a provisional measure :

" Approves the application of the above-mentioned scale for the allocation of the said expenses for the year nineteen hundred and twenty-three,

" and requests the Council to ask the Committee for the Allocation of Expenses, presided over by M. Reveillaud, to continue its researches with a view to preparing a definitive scale which may be submitted to a subsequent Assembly. The Assembly leaves it to the Council to modify the composition of the Committee as it thinks desirable.

" It begs the Council to notify the Members of the League of Nations that it is no longer necessary to continue the ratification of the Amendments No. 2 and No 3 of Article 6, voted by the Assembly of 1922, but, on the other hand, to urge them to ratify as soon as possible the first amendment to that Article."

The position as regards the year 1922 was unfortunately left extremely doubtful. The Postal Union scale clearly remains in force, but it is improbable that any attempt will be made seriously to press small States to pay more for that year than they would under the Reveillaud scheme now adopted for 1923.

17. The question of the actual number of units to be contributed by India remains, of course, for settlement with the United Kingdom and the Dominions. Certain preliminary informal discussion on this point was held at Geneva, but acting under your instructions no attempt was made to proceed far in the matter, and the question will no doubt be taken up in London. It emerged from the preliminary discussion that too low a figure had hitherto been assumed for the proportion which the " net revenue " of India bears to the total " net revenue " of Members of the League, for reasons with which it seems unnecessary to burden this report as they have been explained elsewhere. In our opinion, both on this ground and in view of the fact that India's important position has now been recognised by the acceptance of her claim to be one of the eight States of chief industrial importance, there is no doubt that it is equitable that the Indian contribution should be considerably in excess of that which would fall to her under the Postal Union scheme, which would be equivalent to about 45½ Reveillaud units. On the other hand, there are, no doubt, grounds for thinking that the figure of 65 units, which would be assigned under the new scale, is somewhat high.

With a budget of 25,673,508 Swiss francs (*vide* para. 55) each Reveillaud unit for 1923 will be equivalent to 27,196 Swiss francs, or about 1,130*l.* (at 24 Swiss francs to the £).

18. It was ascertained from unofficial conversations with members of the Reveillaud Committee that it is their present intention, when preparing a revised basis of allocation, to omit altogether the factor of population. They consider it very doubtful whether they will have their new scheme ready in time for next Assembly. If this proves to be the case, there will presumably be no alternative to adoption of the 1923 scale for another year by the Assembly.

CONTRIBUTION OF SALVADOR.

19. The Salvador Government claim that, when they adhered to the Covenant of the League of Nations, they did not understand that they would have to contribute to the expenses of the International Labour Office, or indeed to any expenses beyond those specified in the Covenant itself, viz., the expenses of the Secretariat, and they consequently do not consider themselves bound to pay any share of the expenditure on other objects. The contentions of Salvador were referred for examination to a Sub-Committee of Jurists consisting of Sir Cecil Hurst (British Empire), M. Struycken (Netherlands), M. Reveillaud (France), and M. Rolin (Belgium). The question raised is of considerable general interest, and the report of the Sub-Committee is therefore given in full in Annex (iv) of Appendix II. The conclusion of the Sub-Committee that Salvador was bound to contribute to all the expenses of the League, including those of the International Labour Office, was contested in the First Committee, the lead being taken by M. Alvarez (Chile), who maintained that the conclusions of the Sub-Committee were erroneous in that they relied (according to him) upon the fallacious argument that States which adhered to the Covenant of the League, had adhered to the whole of the Treaty of Versailles, of which the Covenant forms part. M. Alvarez contended, and he obtained some support from the Chairman, M. Scialoja (Italy), that the Covenant of the League of Nations, which finds its place, not only in the Treaty of Versailles, but in other subsequent treaties, is an entirely separate pact, and that adherence to it does not involve acceptance of any obligations beyond those actually contained in it. This line of argument (which the Sub-Committee considered misrepresented their views) did not find general favour with the Committee, but their convictions on this

somewhat debatable subject were not sufficiently firm to lead them to vote against the small minority who would not accept the report of the Sub-Committee. The final decision was accordingly that the report of the Sub-Committee and of all the discussions in the Committee itself should be transmitted to the Council with a view to their being forwarded to the Government of Salvador. It was hoped that, as the Salvador contribution had been very greatly decreased under the Reveillaud scheme, it was possible that that Government might adopt a more accommodating attitude. The Assembly, without discussion, accordingly adopted the following Resolution:—

“The Assembly decides that the report which the First Committee has received from its Sub-Committee on the claim of Salvador be transmitted without discussion to the Council of the League, together with the copies of the Minutes of the discussions of the Committee, in order that the Council may take such action in the matter as it considers appropriate.”

Assembly
Resolution
No. 30.
(20 Sept.).

INDEMNITIES PAYABLE TO JUDGES AND TECHNICAL ASSESSORS OF THE PERMANENT COURT OF INTERNATIONAL JUSTICE.

20. The First Committee, in conjunction with the Fourth Committee, considered a small point referred to it by the Council, regarding remuneration to be given to persons who are not judges or deputy judges of the Court, but are called upon to sit as judges under the special provisions of Article 31 of the Court's Statute, and also to certain technical assessors sitting under the special provisions of Articles 26 and 27 of the Statute. The proposals of the two Committees were accepted by the Assembly in the following Resolution:—

“Having considered proposals made to it by the Council, in accordance with Article 32 of the Statute of the Permanent Court of International Justice.

“Accepts the proposals of the Council, subject to certain changes as to the amounts payable, and decides as follows:—

Assembly
Resolution
No. 17.
(23 Sept.).

“1. A judge sitting in the Permanent Court of International Justice who has been selected in accordance with Article 31 of the Statute of the Court and who is not a deputy judge, shall be granted from the funds of the Court a daily duty allowance and a daily subsistence allowance and repayment of his travelling expenses, according to the rates and conditions applicable to a deputy judge taking part in a session of the Court.

“2. Technical assessors summoned to assist the Court in accordance with the provisions of Article 26 of the Statute of the Court shall be granted from the funds of the Court a daily subsistence allowance of fifty florins during the period for which their functions oblige them to reside at the place at which the session is held, unless they habitually reside there, or, if they reside at such place, a daily subsistence allowance of twenty-five florins; and, further, the necessary travelling expenses of these assessors shall be refunded to them out of the funds of the Court.

“3. Technical assessors sitting in cases connected with transit and communications, and, in particular, cases coming under Part XII. (Ports, Waterways and Railways) of the Treaty of Versailles and the corresponding parts of the other Treaties of Peace referred to in Article 27 of the Statute of the Court, shall be treated in the same manner as the assessors referred to in paragraph 2 above if they sit by virtue of a decision of the Court. If the technical assessors sit at the request of the parties, the allowances and travelling expenses shall be borne by the parties in accordance with rules to be made by the Court.”

INCREASE IN THE NUMBER OF NON-PERMANENT MEMBERS OF THE COUNCIL.

21. The Council of the League had submitted to the Assembly the following proposals:—

“Article 4 of the Covenant provides that the Council shall consist of representatives of the Principal Allied and Associated Powers, together with representatives of four other Members of the League selected by the Assembly.

“The Council may, however, with the approval of the majority of the Assembly, increase the number of non-permanent Members.

“Acting under these provisions, the Council thinks it is desirable that the number of Members of the League to be selected by the Assembly for representation on the Council should now be increased from four to six.

“The first paragraph of Article 4 is based on a certain principle concerning the number of the permanent and of the non-permanent Members of the Council. The proposed augmentation of the number of non-permanent Members produces a considerable modification in this principle. Nevertheless, a subsequent augmentation of the number of permanent Members would re-establish the principle of which Article 4 is the application without its being possible to consider that the change proposed to-day prejudiced such re-establishment.

“The Council asks the Assembly to approve this decision, in accordance with the provisions of the Covenant.”

The motives which had prompted the Council in making these proposals were set forth in a letter addressed to the President of the Council by Lord Balfour and M. Bourgeois, of which the most important passage is as follows:—

“The Council may, however, with the approval of the majority of the Assembly, increase the number of non-permanent Members. The moment would seem to have arrived for the Council to consider the advisability of effecting this increase.

"Since the coming into force of the Covenant, the number of States Members of the League has been considerably increased by the admission of nine new States, which raises the number of States Members of the League to 51.

"Furthermore, it is very difficult to ensure an equitable allocation of the non-permanent seats among the different countries which, owing to common interests, have a tendency to form themselves into groups.

"In view of the increase in the Members of the League, and in order to allow those Members which are not permanently represented on the Council to take an active part in its work, it seems advisable to increase the number of non-permanent seats from four to six.

"We must not lose sight of the fact that, if this solution were adopted, the criticism might be made that the new formation of the Council would consist of four permanent States and of six non-permanent States, whereas the Covenant lays down that it should consist of five permanent States and four non-permanent States. But this objection can hardly be considered a serious one, since, by Article 5 of the Covenant, the decisions of the Council are, except where otherwise provided, taken unanimously by the Members represented at the meeting. The question of a majority therefore does not arise as far as the Council is concerned. It is advisable, moreover, to provide for a future increase of permanent Members."

22. The proposal to add two to the number of States to be elected to the Council was naturally received with satisfaction by most of the small Powers. There was a minority, however, in the First Committee, notably MM. Struycken (Netherlands) and Motta (Switzerland), which expressed the view that it was premature to increase the non-permanent members of the Council before it became necessary to do so on the entry of new States as permanent members of the Council, and that there was anyhow a danger of weakening the influence of the Council if too many small States were on it. The argument was also put forward, which had of course already been weighed carefully in the Council itself, that any increase in the number of a body which takes its decisions by unanimity is liable to make it a less efficient instrument. The Assembly approved unanimously the Council's proposal, which had found favour with the majority of the First Committee, and adopted on 25th September the following Resolution:—

"The Assembly approves the decision of the Council to increase the number of members of the League chosen by the Assembly for representation on the Council from four to six. This decision shall come into force immediately."

Assembly
Resolution
No. 18,
(25 Sept.).

PROCEDURE FOR ELECTION OF NON-PERMANENT MEMBERS OF THE COUNCIL.

23. On the motion of the Chinese Delegation the Assembly decided to take up this question again and referred it to the First Committee. In dealing with this matter there was a serious preliminary constitutional difficulty which was the subject of much discussion in the Committee. The amendment of Article 4 of the Covenant adopted by the Second Assembly, which included the paragraph shown in the

* "The Assembly shall fix by a two-thirds majority the rules dealing with the election of the non-permanent Members of the Council, and particularly such regulations as relate to their term of office and the conditions of re-eligibility."

margin,* has not yet been ratified, and consequently it was held by many that it was not within the competence of the Third Assembly to lay down any rule, especially in view of the provision in the first paragraph of Article 4 of the Covenant providing that the non-permanent members of Council "shall be selected by the Assembly from time to time 'in its discretion'" ("librement" in the French text). In spite of these difficulties it was decided, in view of the necessity of having some rules under which to conduct the elections at this Assembly, to proceed with the examination of the question. A Sub-Committee, of which M. Barthélemy (France) was *rapporteur*, drew up a series of rules which formed the basis of the final decision of the Assembly, given below.

24. The first point which was raised in Committee by the Persian and Chinese delegates (who were supported by Sir Sivaswamy Aiyer) was that it was desirable that attention should be given to geographical, racial and religious considerations in electing non-permanent Members of the Council, so that it might always be ensured that at least one Asiatic State should be among the non-permanent members, apart from Japan, which is a permanent member. The Persian delegate suggested that practical force should be given to this principle by arranging that the voting should take place in three separate divisions—the first would be for three seats for Europe, the second for two seats for America, and the third for one seat for other parts of the globe. The Committee considered almost unanimously that any such stereotyped division as this would be contrary to the provisions of Article 4 of the Covenant, which declares that the selection must take place "librement." For the same reason it took the view that it was not possible to frame any kind of definite rules on this point, and contented itself with proposing to the Assembly a recommendation in a general form that weight should be attached to such circumstances by the Members of the League when voting.

25. Apart from the constitutional difficulty, the rules appeared to find general acceptance, but curiously enough the *rapporteur* (M. Barthélemy) explained that he had been approached by various delegates, who apparently were unwilling to state their point of view openly in Committee, objecting to election by means of "*scrutin de liste*" for all six seats simultaneously instead of filling each seat one at a time. This party apparently based their objections ostensibly once again on the grounds that secret ballots and *scrutin de liste* are not in conformity with the adverb "*librement*" in the Covenant. The view of these anonymous objectors did not however find favour with the Committee; the only point which gave rise to serious difficulty was the finding of a way out of the constitutional *impasse*. It was finally decided to divide the proposed rules into three parts. The first, dealing with the actual machinery for the elections, was to be adopted by the Assembly as a resolution, and was to be regarded solely as a question of procedure for which a majority, if necessary, would suffice. The second and even more important part of the rules, which laid down the term of office of the non-permanent members and instituted a system of retirement in rotation with ineligibility for a period equal to that of the term of office, was to be regarded—even if passed unanimously—not as a binding decision of the Assembly, but as a declaration of the wishes of the Assembly indicating the conditions under which they considered that the members to be elected on this occasion should hold office. The third part of the rules concluded with a general recommendation regarding the weight to be given to the geographical and racial principle.

26. The Committee accepted this solution of the difficulty, but it was found when the question was ripe for the Assembly that some of those who had pressed the constitutional objection most strongly were proposing to raise difficulties in the Assembly. Unanimity was, however, obtained by the device of a slight amendment to the second resolution, proposed by Lord Balfour, which provided that, instead of making a declaration in favour of the rules proposed, the Third Assembly should recommend that the Fourth Assembly should adopt the rules proposed. This made it clear that the Third Assembly considered that those selected at the forthcoming election ought to have their tenure, &c., determined by these rules, but also made it plain that it was only within the competence of the Fourth Assembly (after ratification of the amendment of Article 4 of the Covenant had taken place) to draw up binding rules. The text finally adopted by the Assembly unanimously on 29th September is as follows:—

RESOLUTIONS.

The Assembly adopts, for the election of the non-permanent Members of the Council, the following rules of procedure:—

Assembly
Resolution
No. 83,
(29 Sept.).

I. The members whose representatives are to sit on the Council as non-permanent members of that body shall be selected by the Assembly by secret ballot.

Where several seats are to be filled, the election shall be made by voting a list of names. Any ballot paper containing more names than there are seats to be filled shall be null and void.

No member shall be elected at the first or at the second ballot unless it has obtained at least the absolute majority of the votes. If, after two ballots, there still remain seats to be filled, a third ballot shall be held upon a list consisting of the candidates which obtained most votes at the second ballot, up to a number double that of the seats still to be filled, and those members shall be elected which obtain the greatest number of votes.

If two or more members obtain the same number of votes and there is not a seat available for each, a special ballot shall be held between them; if they again obtain an equal number of votes, the President shall decide between them by drawing lots.

II. Pending the ratification by the States of the amendment to Article 4 of the Covenant voted by the Assembly in 1921, and without prejudice to the right of the Assembly to "select in its discretion," in accordance with the provisions of the Covenant, the non-permanent Members of the Council, the Assembly recommends that the fourth Assembly adopt the following rules:—

The non-permanent Members of the Council are elected for a period of three years, commencing on the first day of January following the date of their election.

Retiring members are not eligible for re-election until the expiration of a period of three years.

One-third of the non-permanent part of the Council shall be renewed each year.

If one or two of the members now on the Council are re-elected, their mandates shall terminate at the end of the first year.

If more than two members now on the Council are re-elected, lots shall be drawn to determine which one or which two of them shall not retire until the end of the second year.

If necessary, lots will be drawn to determine the order of retirement as between newly elected members, so as to bring up to two the number of members retiring.

If, for any reason, a seat on the Council filled by any State should become vacant during the first period of three years, the State shall be considered as having retired, with the result that, if such vacancy occurs during the first year, lots shall only be drawn for one seat, and if the vacancy occurs during the second year, lots shall only be drawn for one seat.

If such a vacancy occurs after the expiration of the first period of three years, the Assembly shall fill it at the session following its occurrence, but the member so elected shall only complete the current mandate.

RECOMMENDATION.

It is desirable that the Assembly, in electing the six non-permanent Members of the Council, should make its choice with due consideration for the main geographical divisions of the world, the great ethnical groups, the different religious traditions, the various types of civilisation and the chief sources of wealth.

QUESTION OF THE DATE OF THE MEETING OF THE ASSEMBLY.

27. The French and Italian delegates proposed an amendment to Article 1 of the Rules of Procedure of the Assembly, so as to provide that the meetings of the Assembly should begin on the third Monday in September instead of the first Monday in September. The reasons put forward in favour of this change were that it would be more convenient for the Secretariat, and for delegates who were Members of Parliaments which sit on well into August and who were unable to obtain a holiday before the meetings of the Assembly. Opposition was raised from various quarters, including the Canadian and Indian Delegations, on the grounds (mainly) that the time proposed was less likely to suit members of their legislative bodies, and the French and Italian proposal was accordingly withdrawn.

AMENDMENT OF ARTICLE 14 OF THE RULES OF PROCEDURE OF THE ASSEMBLY.

28. On a motion by Lord Balfour para. 2 of Rule 14 of the Rules of Procedure of the Assembly was amended with a view to making clear the procedure to be adopted in financial matters. The amended rule—which also finds a place in the regulations for the financial administration of the League adopted this year (*see* para. 50 below)—provides that—

- (1) recommendations by Committees involving expenditure must indicate whether such expenditure is part of the general expenses of the League, or is recoverable from certain members specially concerned;
- (2) that recommendations by a Committee other than the Fourth (Finance) Committee involving expenditure should be submitted to the Fourth Committee with an estimate of the expenditure involved; and
- (3) that no resolution involving expenditure shall be voted by the Assembly before the Finance Committee has expressed an opinion as to its advisability, judged from the point of view of budgetary resources.

The actual text of the amended Rule of Procedure, adopted by the Assembly on the 29th September (Resolution No. 32*), will be found in Annex (i) of Appendix II., which gives the complete Rules of Procedure of the Assembly as amended by the Third Assembly (*see* page 48).

AMENDMENTS TO ARTICLES 4 AND 7 OF THE RULES OF PROCEDURE.

29. On the proposal of the Spanish delegate the Committee and the Assembly accepted slight amendments to Articles 4 and 7 of the Rules of Procedure. The object of the amendment of Article 4 was to bring the rule into conformity with the present practice, by which the yearly report submitted to the Assembly on the work of the Council and of the Secretariat is combined, as is indeed inevitable, in one general report, and does not take the form of two separate reports, (1) on the work of the Council and (2) on the work of the Secretary-General, as is implied by the wording of the original Rule 4 of the Rules of Procedure. The amendments of Article 7 were intended to obviate a slight difficulty, which was pointed out by the Spanish Delegation at the first session of the Assembly. Under Rule 8 of the Rules of Procedure the President, in framing the agenda, is required to be assisted by the "General Committee," which consists of the President, six Vice-Presidents, and the Chairmen of the main Committees of the Assembly. It was found convenient that the election of the Vice-Presidents should not take place on the first day, and certain action by the President was criticised by the Spanish delegate as out of order, as having been taken without the advice of the General Committee, which had not yet been constituted. The Spanish delegate was overruled on this point by 18 votes to 16, but the revised rule now adopted will obviate any such difficulty. The amended texts of Rules 4 and 7, adopted by the Assembly on the 29th September (Resolution No. 36*), will be found in Annex (i) of Appendix II. (*see* pages 48 and 49).

* Not reprinted.

RATIFICATION OF AMENDMENTS TO THE COVENANT.

30. Both in connection with the allocation question and the question of framing rules for the election of non-permanent Members of the Council, it became apparent that the gravest difficulties arose from the fact that the amendments to the Covenant approved by the last Assembly had not been ratified before the sittings of this Assembly. The First Committee accordingly adopted a Resolution calling the attention of delegations to the importance of getting their Governments to ratify these amendments (with the exception of amendments 2 and 3 to Article 6, which, in any case, could not come into force owing to the French refusal to ratify). Lord Balfour in the Assembly independently moved a similar motion, and the following Resolution was accordingly adopted:—

“ The Assembly declares that it is of the highest importance that the amendments to the Covenant already passed, with the exception of amendments 2 and 3 to Article 6, should be ratified by the Governments of the States Members of the League, and it requests the Council to take all proper measures to secure this result. Assembly
Resolution
No. 34,
(29 Sept.).

31. Acting under full power and in accordance with the instructions received from you, Lord Chelmsford signed on the 7th September the protocols of amendment to Articles 4, 12, 13, 15 and 26 of the Covenant, and withheld signature to the protocols of amendment to Articles 6 and 16. The latter the British Empire has not yet decided to accept, but there is, in our opinion, now no reason why the first amendment to Article 6 should not be ratified by India at once. In view of the facts detailed in paras. 11 to 18 above, there appears to be no longer any reason for withholding ratification of the amendment, which places the power of decision on the question of allocation in the hands of the Assembly. Such decision would, of course, normally have to be taken unanimously.

It is noteworthy that the Third Assembly did not recommend any fresh amendments to the Covenant.

Work of Committee No. II.—The Work of the Technical Organisations of the League.

PROVISIONAL ECONOMIC AND FINANCE COMMITTEES.

ADVISORY AND TECHNICAL COMMITTEE ON COMMUNICATIONS AND TRANSIT.

32. The discussion in the Second Committee of the Assembly on the reports of these Committees was without any special interest. In effect it amounted to little more than approbation of the work done by these Committees and encouragement to continue and extend their activities. In Annexes (v) and (vi) respectively of Appendix II. will be found copies of the reports of the Second Committee on these subjects, which give convenient reviews of the ground covered by the work of these two Committees of the League. In those annexes is also given the text of the resolutions passed by the Assembly (*see* page 66).

HEALTH ORGANISATION OF THE LEAGUE.

33. The discussion in Committee II. on the work of the Health Organisation centred round three main topics. The first was a proposal that the Health Organisation should be established as a permanent organisation of the League. Fears were expressed by the delegates of Holland, Great Britain, Australia and New Zealand that this would lead to further expenditure by the League. The question was again raised whether the projected organisation would not duplicate the work of the Office Internationale d'Hygiène Publique at Paris, and if the final result would not be to create a kind of super-State administration, which in its turn would necessitate further organisations. The Director of the Office Internationale d'Hygiène Publique in Paris (who was also a member of the Provisional Health Committee) and the Director of the Health Section of the Secretariat replied to these criticisms. The Office Internationale played, they explained, the part performed by the General Conference in normal technical organisations, the provisional Committee established by the Council was the executive organisation and the Health Section of the Secretariat was the *liaison* organisation. The proper part to be played by the Health Organisation was primarily that of corresponding with public health

organisations, and of providing a centre for information in the conduct of enquiries. It was also entrusted with the task of carrying on the necessary work of unification, such as the establishment of a unit of measure for the standardisation of sera. They pointed out the importance of the support afforded by the Rockefeller Foundation. The Committee also considered a suggestion of the Serb-Croat-Slovene delegate that an International Conference might be summoned on the model of the Transit Conference, in order to establish a permanent committee. The final result of the discussion was that the question was left over for the Fourth Assembly to deal with, with a suggestion that the principles of a possible constitution might be worked out in the meantime.

34. The second main topic of discussion on this subject was the collection of funds from Governments who were prepared to contribute towards fighting epidemics in Central Europe. Lord Balfour had already announced in the Assembly that the British Government were prepared to contribute one-third of the total amount raised by Governments (*i.e.*, half the amount raised by all the other Governments together), subject to a maximum contribution of 100,000*l.* by the British Government. It was suggested that all delegations should communicate with their Governments, with a view to announcing before the Assembly broke up what assistance (if any) could be furnished. No further offers were however in fact announced in the Assembly before it broke up. We communicated with you on this subject in our letter of 16th September, expressing the view that, so far as we were in a position to judge, there was no special need for any contribution from India for this purpose.

35. The third topic of discussion, which aroused a certain amount of controversy, was the proposal that the sum of 125,000 gold francs should be charged to the general budget of the Health Organisation as a contribution towards the expenses of the Epidemic Commission, on the ground that this Commission had carried out a considerable amount of work of general utility. Almost all the British Empire delegates, including the delegate for India, expressed concern at this proposal, which would not only increase the present financial burden of the League, but seemed likely to tend eventually to the establishment of the Epidemic Commission as a permanent sub-section of the Health Department of the League. In the resolution finally adopted on this subject deciding, with the concurrence of the Fourth Committee, to grant a sum of only 50,000 gold francs to the Epidemic Commission, the temporary nature of the Commission was emphasised (*see* page 75).

36. The report of the Second Committee on the work of the Health Organisation is given in Annex (vii) of Appendix II., where will also be found the text of the resolutions adopted by the Assembly (*see* page 70).

INTELLECTUAL CO-OPERATION.

37. In 1921 the Second Assembly adopted resolutions as to the nomination by the Council of a Committee, to consist of not more than 12 members and to contain both men and women, to examine the international questions regarding intellectual co-operation (*see* Indian Delegation's Report of 1921, page 42). The report of this Committee, hereinafter referred to as the Committee on Intellectual Co-operation, was considered by Assembly Committee II., when the Chairman of the former Committee, Professor Bergson, made a statement concerning the state of intellectual life in Europe after the war, and then read resolutions which he had already presented to the Council. These resolutions, which he asked the Committee to adopt, concerned the assistance to be given, scientific documentation, and international and inter-University co-operation. Professor Gilbert Murray (South Africa) introduced an amendment to the effect that the Committee hoped to be able to take advantage of the collaboration of the learned men of all countries. He thought that the holding of international congresses was not perhaps practicable, so long as intellectual collaboration of the learned men of all countries encountered certain opposition. A proposal by the Chinese delegate that the Committee should refer a recommendation on the question of moral education to the Committee on Intellectual Co-operation for a preliminary study was adopted. Sir James Allen (New Zealand) drew attention to the financial implications of the proposed resolutions, particularly as regards the scheme for an international fund for scientific research. After an exchange of views, it was agreed that the maximum sum

which could be contemplated for this purpose was 180,000 francs. A Sub-Committee was appointed to study a proposal made by M. Avramovitch (Serb-Croat-Slovene) to the effect that books and documents should be sent to the Universities and Polytechnic establishments of the countries which had been deprived of their collections owing to the devastations of the war, and which were unable to procure others owing to their financial difficulties. An amendment of M. Munch (Denmark), regarding the collaboration of the *savants* of every country in international conferences of scientific men, was also referred to the same Sub-Committee, which unanimously adopted the resolution proposed by M. Avramovitch regarding the supply of books and which became No. 5 in the resolutions printed below. As regards the resolution proposed by the Danish delegate, regarding the collaboration of *savants*, which corresponded to a resolution proposed by Professor Gilbert Murray, the Sub-Committee was of opinion that the case was met by the addition to para. 1 of the resolution of the words proposed by Professor Gilbert Murray, and it thought it desirable that the consideration of the resolution should be referred to the Committee on Intellectual Co-operation. M. Munch accepted that solution. On the discussion of the draft resolution as a whole there was a prolonged exchange of views as to whether the financial position of the League justified the Committee in recommending their adoption. The British, Dutch, Australian and New Zealand delegates did not favour them, but proposed that they should be re-drafted in such a way that no actual expenditure should be obligatory on the League. This proposal, which received four votes, was rejected by the Committee. It was decided that the League of Nations could not dissociate itself from intellectual co-operation and thus jeopardise the work so brilliantly begun. It could not refuse to take advantage of the co-operation of *savants* such as M. Bergson, Professor Einstein and Mme. Curie, who offered their collaboration freely. On the proposal of the British representative, the Committee decided to amend the resolutions in the sense that Committee IV. should set a limit to the funds to be expended for this purpose, but informed the Fourth Committee that the programme of work approved by the Council since the preliminary budget had been prepared would require 180,000 frs., whereas only 50,000 of the 75,000 frs. allotted for the International Bureaux and the Committee on Intellectual Co-operation, would be available for the latter. The Fourth Committee recommended a supplementary grant of 50,000 frs., thus increasing the budgetary provisions for intellectual co-operation from 50,000 to 100,000 frs.

38. In the Assembly, M. de Jouvenel (France), *rapporteur*, explained that the Committee on Intellectual Co-operation had begun by making an inventory of the intellectual patrimony of mankind. For this purpose it had instituted Sub-Committees, to study the unification of regulations for archæological questions, the internationalisation of methods of bibliography, and the question of an international index and catalogue, &c. It had afterwards made a list of the international institutions occupied in intellectual work. The Assembly was invited to approve the plan of work which had thus been drawn up. It consisted (1) of protecting the intellectual patrimony of mankind, (2) of the development of this patrimony, (3) of improving the material situation of intellectual workers and the methods of collaboration in intellectual work. The Committee also proposed to study the question of intellectual property, and the steps to be taken to permit workers to maintain their position between the manual workers and the capitalists, with a view to a more scientific organisation of labour. The Assembly unanimously adopted the resolutions of the Second Committee, viz:—

“1. The Assembly takes note of the Report of the Committee on Intellectual Co-operation, and highly appreciates the work accomplished by that Committee during its first session, and also the systematic and judicious method in accordance with which the Committee has drawn up the programme of its future work; the Assembly congratulates the Chairman of the Committee on Intellectual Co-operation, M. H. Bergson, together with his colleagues, upon their useful and remarkable work, and expresses the hope that the Committee will pursue its work with the help of the most competent men of all countries to the extent allowed by the credits voted by the Assembly. Assembly
Resolution
No. 29,
(28 Sept.).

“2. The Assembly notes with satisfaction the resolutions in which the Council has authorised the Committee on Intellectual Co-operation to undertake an inquiry into the position with regard to intellectual work, and to appoint three sub-committees to investigate questions of Bibliography, questions of Inter-University Co-operation, and questions of Intellectual Proprietary Rights.

“3. The Assembly decides to send an appeal to all countries which have not yet accepted the Conventions relating to the International Exchange of Publications, signed at Brussels on 15th March 1886, asking them to give their adhesion thereto.

"4. The Assembly has noted with much interest the detailed investigations carried out by the Committee on Intellectual Co-operation, regarding the conditions of intellectual life in countries where its continuance is especially endangered. The Assembly invites the Council to follow up this important question within the limits proposed by the Committee on Intellectual Co-operation."

"5. The Assembly invites the Council to stimulate an intellectual co-operation based upon international solidarity, in order to procure scientific books and documents for the Universities and schools of those countries which, as a result of war, have been deprived of them and which have not sufficient resources to acquire them."

39. When the Assembly was considering the general estimates for 1922 M. Reynald (France) proposed that the supplementary credit for 50,000 francs for the work of the Committee on Intellectual Co-operation should be increased to 100,000 francs. This proposal was supported by His Highness the Maharajah Jam Sahab of Nawanagar in a speech* in which he pointed out that, if the League was to undertake work of this kind at all, it was no good to spoil the ship for a hap'orth of tar. The proposed increase was hotly contested by practically all other parts of the British Empire, who emphasised the view that it was undesirable for the Assembly to vote money the expenditure of which had not been recommended by its Finance Committee. A vote was taken, 25 States being in favour of the increase and 12 against (South Africa, Australia, British Empire, Canada, China, Denmark, Esthonia, Norway, New Zealand, Panama, Netherlands, Siam) (*see also* para. 58 below).

* See page 115

PAN-AMERICAN CONGRESS AT SANTIAGO.

40. The Assembly, on the recommendation of Committee II., unanimously passed the following Resolution, which had been submitted by the Brazilian delegate:—

"The Assembly expresses a desire that at the next Pan-American Congress, the Members of the League of Nations represented at the Congress should call the attention of the latter to the work of the Technical Organisations of the League of Nations;

"Expresses a desire that these Members should consider the means by which any future action contemplated by the Pan-American Congress in connection with any question which is being dealt with by the Technical Organisations of the League of Nations may, as far as possible, be carried on in co-operation with these Organisations, and

"Recommends that, if necessary, the Council should authorise the Technical Organisations to co-operate in any action of general interest which the Pan-American Congress may decide to take."

Assembly
Resolution
No. 38,
(30 Sept.).

Work of Committee No. III.—Reduction of Armaments.

41. The discussions on this question were based on the Report of the Temporary Mixed Commission. This Report is an important document of some length, which repays study, and it is not proposed to attempt to give a summary of its contents. The chief centre of interest was Lord Robert Cecil's proposal, adopted by the Commission, for a Treaty of Mutual Guarantee, explained on pages 13–15 of the Report.

Lord Robert Cecil asked for general approval of the proposal that the line of advance should be as outlined therein, that the Governments of the Members of the League should be asked to examine the principles suggested, and that in the meantime the Temporary Mixed Commission should be requested to elaborate a model draft Treaty of Mutual Guarantee which might be considered by the Assembly next year. To focus discussion Lord Robert Cecil tabled the following resolutions taken from the Report of the Temporary Mixed Commission:—

"1. No scheme for the reduction of armaments can ever be really successful unless it is general.

"2. In the present state of the world, the majority of Governments would be unable to accept the responsibility for a serious reduction of armaments unless they received in exchange a satisfactory guarantee of the safety of their countries.

"3. Such a guarantee can be found in a general defensive agreement between all countries concerned, binding them to provide immediate and effective assistance in accordance with a prearranged plan in the event of one of them being attacked, provided that the obligation to render assistance to a country attacked shall be limited in principle to those countries situated in the same part of the globe. In cases, however, where for historical, geographical or other reasons, a country is in special danger of attack, detailed arrangements should be made for its defence in accordance with the above-mentioned plan.

"4. It is understood that the whole of the above resolutions are conditional on a reduction of armaments being carried out on lines laid down beforehand, and on the provision of effective machinery to ensure the realisation and the maintenance of such a reduction."

42. A lengthy and interesting debate took place on these resolutions. It was plain that on the whole the resolutions met with general support, but the discussion revealed at times a certain amount of mutual suspicion between three main parties, of which the

protagonists were : (1) Lord Robert Cecil, who desired that the scheme should be as far as possible universal, and that the treaty should be conditional on a general reduction of armaments following immediately ; (2) M. de Jouvenel (France), who pressed that it should be made possible for the scheme to be limited in scope at first and for the reductions in armaments to be proportionate to the amount of security given by the limited Treaty of Guarantee ; and (3) by M. Lange (Norway), who emphasised the risk that for some States the obligations accepted under the Mutual Guarantee Treaty might necessitate an increase rather than a decrease of armaments, and also pressed that it must be made plain that the Mutual Treaty should be open to any nation which cared to join it, so as to avoid the danger of it becoming merely an alliance of the old type. Mr. Fisher (British Empire) explained that in supporting the resolutions he could not, of course, bind his Government to enter into any Treaty of Mutual Guarantee, or to the acceptance of this principle as the only way of reducing armaments ; but he did take the view that this was a promising method which should be further explored. He pointed out the very great practical difficulties that arose in the case of the British Empire if a Mutual Guarantee is entered into by European States, including Great Britain. It would follow that all parts of the Empire, however distant from Europe, would be involved in such a treaty and apparently be under an obligation to come to the assistance of a European Power.

43. The Committee confined itself to a general discussion of the broad principles of the Treaty of Mutual Guarantee, and did not examine such illustrative details as are given in the Report of the Temporary Mixed Commission of the machinery that might be used to make the Guarantee effective. M. Lange proposed, however, that when the Temporary Mixed Commission came to work out their proposals into a more concrete form, they should adopt a different test to determine the "aggressor" State from that suggested in the Report, viz., the State decided by the Council to be the one which has deliberately violated the territory of the other. He suggested, for consideration, that the aggressor should be taken to be the State which refused to submit a dispute for pacific enquiry. This question was left in abeyance. M. Lange also obtained approval to a proposal that the Temporary Mixed Commission should devote attention to the case of possible regional agreements in certain parts of the world in which an even greater reduction of armaments might be attainable than that likely to follow from a general Mutual Guarantee Treaty. Count Tosti (Italy) expressed some apprehension that the Guarantee Treaty might conflict with existing treaties, but his view was not generally shared by the Committee. The resolutions which were finally adopted by the Committee on the subject of the Guarantee Treaty (*see* para. XIV. of the Assembly Resolutions given below) left it open whether progress should be made by means of a general treaty as desired by Lord Robert Cecil or by means of a partial treaty, capable of further expansion later, as advocated by the French.

44. At the conclusion of the Committee's work on this particular subject, Lord Robert Cecil, taking as his text the thesis that material disarmament is impossible without moral disarmament, and that moral disarmament can only be achieved by the attainment of mutual confidence--to which the chief obstacle at present is the economic chaos of the world--proposed to add to the resolutions adopted by Committee I., a lengthy resolution advocating a reference to the League of Nations on the problem of reparations and inter-allied debts. When discussion on this subject was resumed, after a two days' delay by general agreement, a briefer and clearer resolution proposed by M. de Jouvenel and supported by Mr. Fisher was substituted for that of Lord Robert Cecil. The debate on this resolution obtained considerable attention from the public and the Press. In view of the interest attaching thereto it is given in full in Appendix III. (a). The resolution finally adopted by the Third Committee, and subsequently by the Assembly, forms para. XVI. of the Resolution given below.

45. The question of the greatest importance after that of the Treaty of Mutual Guarantee, which was dealt with in Committee No. III., was that of the reduction of Naval Armaments. The Temporary Mixed Commission had prepared a draft treaty in outline on the lines of the Washington Treaty for Naval Armaments, to which all States might adhere. The proposal to summon next year an international Conference to consider the possibility of following some such course as this was approved by the Committee after words had been inserted in the Resolution given below, with a

view to relieving the fears expressed by some States—notably by Brazil, which argued that her navy was already below that essential for the defensive protection of her long coastline, and by Poland, which pointed out that, although she had no navy at present, she did not wish to be estopped from the possibility of acquiring one at some future date. It may be pointed out that India has no direct interest in this question, as she is already a party to the Washington Agreement.

46. The Committee approved a proposal by Sir Mark Sheldon (Australia) that Governments should be urged to adhere to the Washington Convention regarding the use of poison gas and submarines. M. Urrutia (Colombia) withdrew a somewhat similar proposal on the same subject in favour of that of Sir M. Sheldon.

47. A resolution was adopted on the motion of M. de Jouvenel, inviting States which had no special reasons for maintaining large armaments to reduce the total of their defence expenditure to the figures of 1913, after allowing for the difference between pre-war and post-war prices.

48. It was generally admitted that it was impossible to make further progress as regards the limitation of the traffic in arms or their private manufacture, unless it was possible to obtain the co-operation of the United States. The refusal of that Government to adhere to the Convention of St. Germain was received shortly before the opening of the Assembly, but as that refusal contained an expression of willingness to co-operate on this subject, it was decided to recommend that the Council should take such steps as might be possible to find out from the United States Government to what extent it would be possible to get them to agree to act.

49. The final report of the Third Committee which was submitted to the Assembly is of interest, and also renders more easily intelligible the resolutions given below which were passed by the Assembly, and its text is therefore reproduced in full in Annex (viii) of Appendix II. It deals also with various comparatively minor points not mentioned in this section of our report. The debate in the Assembly on this report opened on the 26th September with a long speech by Lord Robert Cecil, who reviewed the recommendations in the report, and concluded with an appeal to the peoples of the world to choose between progress on the lines recommended by the League and the abandonment of all hope of saving civilisation from the horrors of the next war, which would utterly destroy it. The proposals of the report were supported by M. Scialoja (Italy), who emphasised the impossibility of starting with a *general* Treaty of Mutual Guarantee, and by M. de Jouvenel in an eloquent speech, which nevertheless left the audience in some doubt as to the precise interpretation to be placed upon it. Mr. Fisher, in supporting the proposals, was careful to point out the many difficulties which lay in the way of a successful carrying through of the plan of a Treaty of Mutual Guarantee, and he declared it to be his view that the attitude of the British public towards these proposals would be dependent very largely on the temper and tone shown on the Continent, and on the evidence that might be forthcoming of a real desire to use the proposed Treaty of Guarantee for the purpose of securing disarmament and maintaining European peace. Further support to the proposals was given by the Japanese, Netherlands, Spanish and Persian delegates. The Swedish and Norwegian delegates, in supporting the proposals, emphasised the point of view which they had adopted in Committee, that in some regions of the world disarmament might proceed faster than would be likely to be possible if it waited upon the adoption of a Treaty of Mutual Guarantee. Dr. Munch (Denmark) raised a completely new point in proposing to condemn the principle of compulsory military service. The Assembly finally adopted unanimously the resolutions of which the text is given below. The speeches of M. de Jouvenel and Mr. Fisher in the Assembly are given in full in Appendix III. (b) (page 98).

I. (a) The Assembly considers it desirable that the Temporary Mixed Commission should be asked to continue for another year the work which it has begun and that its report be submitted at an early date previous to that of the next Assembly. The Assembly further requests the Council to invite the Members of the League to lend their assistance to the Commission in its difficult task, and to give their assistance and advice with regard to proposals for reduction of land armaments and a Treaty of Mutual Guarantee.

(b) The Assembly desires to express its sense of the great value of the collaboration that has existed between the Temporary Mixed Commission and the Permanent Advisory Commission, and trusts that it will continue and, if possible, increase. The Assembly is of opinion that the great technical competence of the Permanent Advisory Commission cannot but be of essential service in the study, from the technical military point of view, of the questions with which the Temporary Mixed Commission deals.

II. The Assembly recommends that, as a preliminary step, the European States existing before the war of 1914, under their present description, whose juridical status has not been altered by the war, and which are not, at the moment, engaged in military operations which justify their armaments, be invited to reduce the total of their military, naval and air expenditure to the figures for 1913, calculated on the basis of pre-war prices according to the method employed by the Temporary Mixed Commission.

III. The Assembly expresses its satisfaction at the remarkable work accomplished in collecting and drawing up statistical data in an entirely new and peculiarly difficult field.

Taking into account the work accomplished, and reserving the question of the scope which it might be necessary to give to a statistical enquiry at a later date, the Assembly desires to determine for the coming year the programme which appears to it both immediately useful and practicable. It therefore proposes that this programme should be limited to the two following points:—

- (1) Peace-time armaments;
- (2) Expenditure on armaments.

The Assembly considers it desirable that the Council should request the Permanent Advisory Commission to collaborate with the Temporary Mixed Commission in that part of the work which deals with technical military, naval and air questions.

IV. The Assembly, having considered the report of the Temporary Mixed Commission, is of opinion that the only step which could usefully be taken in connection with surplus stocks of arms and ammunition is the control of the international traffic in arms.

V. The Assembly, having noted the proposal of the Temporary Mixed Commission for an international agreement for the control of the manufacture of arms by private companies, urges on the Council to consider the advisability of summoning, at an appropriate moment, a conference of the Members of the League to embody this agreement in the form of a convention. The Assembly is further of the opinion that States not Members of the League should be invited to participate in this conference and to co-operate in the policy on which it may agree.

(a) The Assembly considers it highly desirable that the Government of the United States should express the objections which it has to formulate to the provisions of the Convention of St. Germain, as well as any proposals which it may care to make as to the way in which these objections can be overcome.

(b) The Assembly is of the opinion that the Temporary Mixed Commission should be instructed to prepare a scheme for the control of the international traffic in arms, to be considered by the Conference which is to deal with the private manufacture of arms.

(c) The Assembly requests the Council to take such steps as it thinks advisable to carry out the purposes above indicated.

VII—(a) The Assembly, having considered the report of the Temporary Mixed Commission on the subject of the development of chemical warfare, approves its action in establishing a special Sub-Committee to report on the probable effects of chemical discoveries in future wars, and requests the Council and the Temporary Mixed Commission to take every possible measure to secure the fullest publicity for the report of this Sub-Committee.

(b) The Assembly requests the Council to recommend the Members of the League and other nations to adhere to the Treaty of Washington (6th February 1922) concerning the use of asphyxiating gas and submarines in war, and other similar matters.

VIII. The Assembly, having considered the answers from the Governments of twenty-six Members of the League to the enquiry issued to them by the Council, as to the requirements of their national security desires to state that it attaches the utmost importance to these replies as affording a basis for the further deliberations of the Temporary Mixed Commission, and recommends to the Council that it should once again urge the Members of the League which have not yet sent in their replies to do so without delay.

IX. The Assembly approves the recommendation of the Temporary Mixed Commission that the Council should consider whether the time has not come to discuss the application of the paragraph of Article 8 of the Covenant relating to the exchange of military information between States Members of the League.

The Assembly expresses its satisfaction at the work accomplished at Washington in connection with the reduction of naval armaments.

XI.—(a) The Assembly welcomes with interest the Chilean Government's initiative in submitting the question of disarmament to the Pan American Congress which is to meet at Santiago in March 1923.

The Assembly expresses the hope that the Congress may arrive at practical solutions capable of being fitted into the more general scheme of disarmament which is being considered by the League of Nations.

(b) The Assembly recommends to the Council that the expert services of the League of Nations should eventually be authorised to co-operate in the work of the Pan-American Congress of Santiago.

The Assembly recommends:

XII. (a) That an International Conference should be summoned by the Council as soon as possible, to which all States, whether Members of the League or not, should be invited, with a view to considering the extension to all non-signatory States of the principles of the Washington Treaty for the limitation of naval armaments, it being understood that any special cases, including those of the new States, shall be given due consideration at the Conference;

(b) That the report of the Temporary Mixed Commission, together with the report and the draft Convention prepared by the Permanent Advisory Commission, as well as the text of the Washington Treaty, should be forwarded immediately to the various Governments for consideration.

XIII. The Assembly, having examined the report of the Temporary Mixed Commission on the general principles of land and air disarmament, instructs the Commission to continue its investigations on the basis of these principles, with a view to preparing for the consideration of the next Assembly a definite scheme for the general reduction of land and air armaments.

XIV. (a) The Assembly, having considered the report of the Temporary Mixed Commission on the question of a general Treaty of Mutual Guarantee, being of opinion that this report can in no way affect the complete validity of all the Treaties of Peace or other agreements which are known to exist between States; and considering that this report contains valuable suggestions as to the methods by which a Treaty of Mutual Guarantee could be made effective, is of the opinion that:

(1) No scheme for the reduction of armaments, within the meaning of Article 8 of the Covenant, can be fully successful unless it is general.

(2) In the present state of the world many Governments would be unable to accept the responsibility for a serious reduction of armaments unless they received in exchange a satisfactory guarantee of the safety of their country.

(3) Such a guarantee can be found in a defensive agreement which should be open to all countries, binding them to provide immediate and effective assistance in accordance with a pre-arranged plan in the event of one of them being attacked, provided that the obligation to render assistance to a country attacked shall be limited in principle to those countries situated in the same part of the globe. In cases, however, where, for historical, geographical, or other reasons, a country is in special danger of attack, detailed arrangements should be made for its defence in accordance with the above-mentioned plan.

(4) As a general reduction of armaments is the object of the three preceding statements, and the Treaty of Mutual Guarantee the means of achieving that object, previous consent to this reduction is therefore the first condition for the Treaty.

This reduction could be carried out either by means of a general Treaty, which is the most desirable plan, or by means of partial treaties designed to be extended and open to all countries.

In the former case, the Treaty will carry with it a general reduction of armaments. In the latter case, the reduction should be proportionate to the guarantees afforded by the Treaty.

The Council of the League, after having taken the advice of the Temporary Mixed Commission, which will examine how each of these two systems could be carried out, should further formulate and submit to the Governments for their consideration and sovereign decision the plan of the machinery, both political and military, necessary to bring them clearly into effect.

(b) The Assembly requests the Council to submit to the various Governments the above proposals for their observations, and requests the Temporary Mixed Commission to continue its investigations, and, in order to give precision to the above statements, to prepare a draft Treaty embodying the principles contained therein.

XV. The Assembly, whilst declaring that the reduction of armaments contemplated by Article 8 of the Covenant cannot achieve its full effect for world-peace unless it be general, desires to emphasise the importance of regional agreements for the purpose of reducing armaments—agreements which, if necessary, might even go beyond the measures decided upon in respect of general reduction; and requests the Council to ask the Temporary Mixed Commission to take into consideration, during its subsequent work, the possibility of recommending the conclusion of similar agreements to States which might be concerned.

XVI. The Assembly, considering that moral disarmament is an essential preliminary condition of material disarmament, and that this moral disarmament can only be achieved in an atmosphere of mutual confidence and security;

Declares that such confidence cannot be attained so long as the world continues to suffer from disorganisation of the exchanges, economic chaos and unemployment, and that the only method of remedying these evils is to put an end to the uncertainty which prevails regarding the means for the restoration of the devastated regions and the settlement of the inter-Allied debts;

Expresses the hope that, in so far as these questions can be regulated by the unaided efforts of the European nations, the Governments signatories of the international treaties and agreements which deal with these questions, and within the framework of which they must be envisaged, will achieve as soon as possible a general settlement of the problem of reparations and inter-Allied debts.

It further recommends that the Council shall devote constant attention to every effort made in this direction by the Governments concerned, it being understood that it can only usefully assist in the solution of these problems if requested to do so by the Governments in question.

Work of Committee No. IV. Budget and Financial Questions.

50. The most important step taken this year by the Fourth Committee was the approval of the new regulations for the financial administration of the League, which had been drafted by the Commission of Control, which is, in future, to be called the Supervisory Commission* which are given in Annex (ii) of Appendix I. These regulations mark a very great advance from the position which existed in the early days of the League, and if properly administered by the Secretary-General and his officials, to whom a good deal of power is given, should produce satisfactory results. Most unfortunately, a proposal in the original draft that interest should be charged on the contributions of States which were in arrear was defeated through the opposition of several Members of the League, which threatened to result in blocking the adoption of the whole of the regulations if their views on this point were not accepted. It was also unfortunate that the Committee were not prepared to adopt a proposal of the French delegate that the sums paid in successive budgets towards

* The Commission was composed in 1922 as follows:—M. G. Noblemaire (Member of French Parliament), Chairman; Dr. J. A. Nederbragt (Head of Economic Division of Ministry of Foreign Affairs of the Netherlands), Rapporteur; Sir James Allen (High Commissioner for New Zealand in London); Dr. Stephen Osusky (Minister of Czecho-Slovakia in Paris); M. Luis Waddington (Financial Adviser to Chilean Legation in London).

the establishment of a working capital fund should be considered as loans made by each Member of the League to assist the working of the Treasury, and that when a new Member entered the League that Member should pay to the working capital funds a sum equal to that furnished by Members whose contributions were comparable to its own. This suggestion has, however, been referred for further examination by the Supervisory Commission.

The Assembly adopted the financial regulations in the following Resolution :—

“Whereas the recommendation of the Assembly adopted on 17th December 1920, with regard to the administration of the finances of the League of Nations, as modified by the recommendation of 4th October 1921, requested the Council to prepare, for the annual session of the Assembly in 1922, a final resolution concerning the administration of the finances of the League of Nations: Assembly Resolution No. 35, (29 Sept.).

“And whereas the Council requested the Supervisory Commission to prepare a draft of such resolution, and the Commission has submitted such draft, which has been considered by the Assembly:

“The Assembly of the League of Nations adopts the Regulations* for the administration of the finances of the League of Nations.”

51. A special Sub-Committee of Committee IV. was appointed to investigate the question of unpaid contributions. This Committee examined representatives of all those States whose contributions were in arrear. It appeared that, on the whole, the most important cause of non-payment was the continued operation of the scale of allocation of the Universal Postal Union, which laid on many small States an inequitable burden. Most of the delegates declared that their countries intended to pay the arrears as soon as possible, and some promised immediate payment. It is somewhat regrettable that, in dealing with this delicate question, the Committee did not find itself able to adopt any more helpful conclusion than that the Secretary-General should invite those countries which found themselves unable to pay the amount due in one sum to liquidate their obligations by paying a supplementary amount (without interest) in addition to the sum due each year under the new scale, until the whole amount of their debt had been adjusted. As regards some of these States the Secretary-General was to propose to the Commission of Control a solution best fitted to their exceptional circumstances.

The Assembly adopted the following Resolution :—

“The Assembly approves the principles and proposals which are laid down in the report of the Fourth Committee (A. 145, 1922. X.) concerning the contributions still remaining to be paid for the fiscal years up to January 1922.” Assembly Resolution No. 31, (29 Sept.).

The Report of Committee IV. referred to therein merely reproduced the findings of the Sub-Committee summarised above.

52. A Sub-Committee of the Fourth Committee also examined the question of the accommodation for the International Labour Office. During the proceedings of the Assembly the Swiss Federation and the Canton State of Geneva offered to the League premises adjacent to the present Secretariat of an area of 4,493 square metres, and a property in the Rue de Lausanne on the shores of the lake of an area of 35,845 square metres. On the advice of the Committee the Assembly unanimously decided to accept these generous offers. The first property seemed suitable for the eventual building of an Assembly Hall adjoining the Secretariat (Hotel National), and the second for a building to accommodate the International Labour Office. It is suggested that provision for these buildings should be made in the budget of the League, commencing in 1926, as soon as payment for the Hotel National is completed.

53. The Committee was not able to make much progress with an important suggestion by the French delegate that rules should be laid down to ensure that expenditure which was incurred only in the interests of certain members of the League should not be charged to the general budget, though a resolution confirming the validity of this principle was again passed by the Committee and the Assembly.

The Committee received too late to deal with it a report of the Salaries Adjustment Committee on the subject of the deferred pay and pension scheme for the Secretariat and International Labour Office, and it was decided to defer consideration of this important question until the next Assembly.

54. The consideration of the budget of the League for 1923 was not expedited as much as it should have been by the preliminary work done by the Supervisory Commission. Most of the ground covered by that Commission was gone over again in the Fourth Committee, almost every item of expenditure being carefully scrutinised. Among the leading critics were Colonel Ward (British Empire) and Sir Joseph Cook

* See page 51.

(Australia). It seems desirable, if in future the Fourth Committee is not to waste its time in discussing details rather than general principles, that some machinery should be devised by which the criticisms which the Members of the League desire to offer on the details of the budget should be made through the Supervisory Commission before that body recommends the budget for consideration by the Assembly; though of course the final control must rest with the Assembly acting through its Fourth Committee. At one of the early meetings of the Committee His Highness the Jam Saheb expressed warm approval of the work of the Supervisory Commission, and congratulated M. Noblemaire and his colleagues on their valuable report and on their work, which had done much to eliminate those financial imperfections which had caused former Indian delegations to occupy the position of somewhat keen critics. Among the proposals suggested by the Supervisory Commission, which the Fourth Committee and the Assembly eventually adopted, were the substitution of the Swiss franc for the gold franc in all financial transactions of the League from the 1st January 1923, and the adoption of the Governmental system of accounts in place of the commercial system hitherto used.

55. The following table shows under the main heads:—Expenditure for 1921, Budget for 1922, Budget for 1923 after scrutiny by the Supervisory Commission, alterations made in the Budget for 1923 by the Fourth Committee, Supplementary Estimates approved by the Fourth Committee arising out of recommendations of other Committees of the Assembly, and the Budget for 1923 as finally passed by the Assembly.

A.—Secretariat and Special Organisations.

PART I.—CURRENT EXPENDITURE.

CHAPTER.	1921 Expenditure.	1922 Budget.	1923 Budget Estimate of Secretary-Gen- eral as modified by Commission of Control.	Alterations made by Fourth Com- mittee of Assembly.	Supplementary Credits.	1923 Budget as finally passed.
	Gold francs.	Gold francs.	Swiss francs.			Swiss francs.
I. Assembly and Council Sessions.	751,763	1,000,000	779,000	- 79,000	—	700,000
II. General Services of Secretariat.	6,086,003	6,136,730	6,616,294	+ 164,151	+ 60,500	6,840,945.
III. Special Organisations of the League.	1,753,880	4,591,375	5,430,507	- 435,682	* + 372,000	* 5,366,825.
IV. Refund of Expenses (Vilna Plebiscite).	—	—	263,260	+ 159,000	—	422,260.
V. Profit and loss by Exchange	174,286	200,000	200,000	—	—	200,000

PART II.—CAPITAL EXPENDITURE.

VI. Buildings, Permanent Equipment, &c.	1,660,367	1,310,230	1,270,167	- 7,151	—	1,263,016
VII. Working Capital - - -	1,890,000	—	500,000	—	—	500,000

B.—Permanent Court of International Justice and International Labour Organisation.

I. Permanent Court of International Justice - -	339,603	1,500,000	2,000,000	- 120,000	—	1,880,000
II. International Labour Organisation.	7,010,000	† 7,500,000	8,188,962	+ 4,000	+ 7,500	8,200,462
Washington Conference (1919).	20,968	—	—	—	+ 300,000	300,000 (Conference for extension of Washington Agreement).‡
Total Budgets -	19,686,870	22,238,335	25,248,190	- 314,682	+ 740,000	25,673,508

* Includes 50,000 for Intellectual Co-operation, passed by majority vote of Assembly, validity of which is in doubt.

† 1,304,390 of this to be provided from surplus from 1921.

‡ See para. XII. (a) of Resolution on p. 23.

56. In the discussion in the Assembly on the budget Sir James Allen (New Zealand), made an interesting statement as to the financial position of the League, in which he pointed out that the amount of contributions in arrears on 30th September 1922 was 14,754,000 francs (including 9,614,000 francs owing for the year 1922).

Estimating a receipt of a further 3,000,000 francs during the last three months of 1922, it might be anticipated that the current account of the League on 31st December 1922 would show a deficit of 1,825,000 francs, which would absorb the whole of the available balance of the "working capital," and still leave a small deficit of 150,000 francs.

As regards 1923, making certain assumptions as to the rate at which the contributions for that year would come in, but not allowing for any receipts during the year in respect of the 11,754,000 francs of arrears, he estimated that the position was likely to be as follows:—

Quarter ending	Expenditure exceeds Revenue by		Revenue exceeds Expenditure by	
	Francs.		Francs.	
31st March 1923	-	-	3,142,000	—
30th June 1923	-	-	312,000	—
30th September 1923	-	-	—	1,500,000
31st December 1923	-	-	—	1,804,000

The deficit for the first two quarters may be met by borrowing 3,400,000 francs from the Bank, practically the whole of which could be repaid by the end of the year. 1924 would start with a "working capital" of only 500,000 francs, voted in the 1923 budget, instead of 3,500,000 francs considered necessary by the Supervisory Commission.

If all the arrear contributions were paid up during 1923, then the "working capital" would be restored, and a balance of 8,718,000 francs left at the disposal of the Assembly.

He urged that 1923 contributions should be sent in as early as possible in the year, and arrears paid as soon as possible, in order to avoid the necessity of borrowing from the Bank.

57. The Chilian delegate, who was supported by other South American States, urged strongly that expenditure should be limited so as to ensure that the amount contributed by each State should not be increased for a period of three or five years, and asked that the Council should submit a proposal to this effect to the next Assembly.

58. It was mentioned in para. 39 above that when the budget came up for approval an increase of 50,000 francs was approved by a majority vote in the Supplementary Estimates for the work of the Committee on Intellectual Co-operation. The total budget, as increased by this figure, was accepted by the Assembly unanimously. Immediately afterwards M. Trygger raised a point of order, and said that he was not satisfied that the decision to increase the estimate was valid, as the amendment had been passed by a majority vote only, and not unanimously. There are no very clear rules of procedure in passing the budget, and it did not seem possible, on the spur of the moment or at such a late period in the proceedings of the Assembly, to reach any final decision on the constitutional issue involved, and the Assembly therefore unanimously accepted M. Trygger's proposal that the Council should be asked to examine the point and to decide on the action to be finally taken as regards the amount of the vote for the Committee on Intellectual Co-operation. It is to be hoped that the result will be that next year definite rules of budget procedure will be laid down.

59. The Report of the Fourth Committee on the Accounts for 1921, Budget for 1923, Report of the Supervisory Committee, and other matters is given in Appendix II., Annex (ix), page 85, which also gives the resolutions adopted by the Assembly.

Work of Committee V.—Social and General Questions.

ESPERANTO.

60. On the 15th September 1921 the Second Assembly, resuming the discussion of the question of Esperanto as an auxiliary world-language, which had been adjourned by the First Assembly, adopted a resolution instructing the Secretariat to draw up a complete report for submission to the Third Assembly. The findings of this report, which are definitely in favour of Esperanto, met with considerable criticism in Committee V. Professor Gilbert Murray submitted draft resolutions dealing, firstly with propaganda, and, secondly, with the approval and encouragement by the League

of the teaching of Esperanto. He was supported by some members of the Committee, among whom the delegates of China, Japan and Persia were conspicuous. These representatives urged that the League of Nations should make proposals to Governments to extend the use of Esperanto in view of the greater difficulty in their countries of learning Western languages. On the other hand the Norwegian, Brazilian, Swedish and certain other delegates declared themselves entirely opposed to any intervention in such matters by the League of Nations. Professor Gilbert Murray's proposal that States Members should be invited to consider at the forthcoming Postal Conference the possibility of admitting Esperanto in the postal and telegraphic services was rejected in favour of a more cautious view presented by the French delegate. Mrs. Coombe-Tennant stated that the British Postmaster-General was not prepared to accept the suggestion as far as Great Britain was concerned. She also drew attention to certain statements in the Secretariat's Report regarding the teaching of Esperanto in Great Britain—statements which she thought made the Report appear somewhat biased—and proposed that Chapter V., which summarised the conclusions arrived at by the Secretariat, should be omitted. The Report of the Secretariat, subject to amendments proposed by Mrs. Coombe-Tennant, was adopted unanimously. The Committee finally decided by a majority to present to the Assembly the following Resolutions, which the Assembly adopted, parts 1 (a), (b), (c) unanimously, and the second part by 26 against 2 votes:—

Assembly
Resolution
No. 9,
(21 Sept.).

1. The Assembly adopts the report of the Secretariat on Esperanto as an auxiliary international language, subject to the following amendments:—

- (a) That the corrections communicated by the British Delegation be made, and that Chapter V. of the report be omitted;
- (b) That an annex be added to the report, consisting of the whole of the brief and impartial report made by the Paris Chamber of Commerce* on 9th February 1921, of which certain passages only have been quoted;
- (c) That the resolutions adopted by the Committee be annexed to the report.

2. The questions relating to the teaching of Esperanto shall be referred to the Committee on Intellectual Co-operation, in order that that Committee may give its opinion on the various aspects of the problem of an auxiliary international language.

OPIUM.

61. The Fifth Committee dealt with various questions affecting opium at the first and second meetings. Mlle. Bonnevie (Norway), who had given material assistance to India last year, and who has both a knowledge of the subject and robust common sense, was elected Vice-Chairman. Prince Charoon (Siam) proposed a series of resolutions, based on the report of the Opium Advisory Committee, which were unanimously accepted; they introduced no new matter and call for no comment. In the course of a somewhat ill-informed discussion of these recommendations, various points were raised. Professor Gilbert Murray (South Africa), dissatisfied with the small extent to which the import and export certificate system had already been adopted by Governments, and impressed by the fact that no control was at present exercisable over exports from Turkey and Persia, wished to bring pressure to bear, in order to force Turkey and Persia to put into force the Hague Convention, and to induce all Governments to accept the import and export certificate system. His suggestion was that all signatories of the Convention should agree to allow imports only from countries where that Convention was in force, and where the certificate system had been accepted.

India was entirely in accord with the principle of this proposal, but as it involved difficult and complicated technical considerations, Lord Chelmsford proposed, in agreement with Professor Murray, an amendment referring the question for the consideration of the Opium Advisory Committee. This was unanimously accepted. It became clear, in the course of the discussions on this point, that Japan would not

* The Paris Chamber of Commerce appointed a Committee in 1920 to examine the problem and unanimously adopted the following conclusions:—

"Whereas transactions throughout the world would be greatly helped by the use of an international auxiliary language; whereas it is in no way intended to prejudice national languages and especially the French language, the literature of which, closely bound up with our history, is rich in imperishable works of genius;

"Whereas the auxiliary language should, on the contrary be instituted as a sort of international code language to act as an intermediary between the nations, and should, for this reason, be capable of being learned easily and quickly;

"Whereas Esperanto appears to unite the requisite qualities of clearness and methodical simplicity as regards pronunciation and grammar, vocabulary and richness of expression:

"The Paris Chamber of Commerce—

"(1) Decides to introduce optional instruction in Esperanto in its commercial schools;

"(2) Expresses the wish that this instruction should be made general in France and abroad, and that the Chambers of Commerce of all countries, with a view to assisting commercial intercourse, should seek to promote the rapid spread of the international auxiliary language."

have agreed to Professor Murray's resolution, and that the Committee as a whole had begun to feel grave doubts whether it was a wise policy to put forward in Committee far-reaching proposals which it could not in fact subject to close, or technically efficient, examination.

The Persian delegate renewed the suggestion he made last year for propaganda work against opium to be undertaken by the League of Nations; this suggestion was supported by M. Ador (Switzerland) and by other delegates, but was finally dropped when it had been pointed out that the matter had already been dealt with by the Advisory Committee. The delegate for Persia, in the course of his speeches, insisted that Persia exported no opium; this statement was, of course, challenged, but the matter was not pressed when it became obvious that the Committee knew the facts, and that Prince Arfa-ed-Dowleh's assertion was regarded merely with amusement. The delegate for China (Mr. Chu) strongly pressed a proposal to appoint representatives of Turkey and Persia to the Opium Advisory Committee; the futility of this suggestion was pointed out, and the Committee was clearly against it. The matter was eventually, and after considerable discussion, withdrawn. M. Reynald (France) again pressed the point taken by M. Hennessy last year, urging that drugs of synthetic origin should be declared to be covered by the Hague Convention or that a new Convention should be framed; it was obvious from his remarks that he was unaware of the action which had already been taken by the Opium Advisory Committee in the matter. The position was explained; and the opportunity thus presented was again taken to express the view that the Committee would be on very dangerous ground, and might easily render itself ridiculous, if it attempted to put forward substantive motions of a technical character, or involving technical issues. M. Reynald's proposal was then dropped, but an attempt to induce Mr. Chu (China) to withdraw a motion he had proposed, and which amounted merely to a loose and inaccurate rendering of Article 9 of the Hague Convention, was less successful, although the sense of the Committee appeared to be against him. It was eventually agreed that Mr. Chu's motion should be circulated, and discussed at the next meeting.

One of the best speeches delivered was by Mrs. Coombe-Tennant (British Empire), who dealt with the more important of the issues which had been raised during the discussions in a sensible, broad-minded manner. Apart from the absurdities of the proposals of the Chinese and Persian delegates, India was not in substantial opposition to any of the resolutions moved, while the information available as to the actualities of the position enabled it to prevent some gross blunders which would have seriously injured the prestige of the Committee.

62. At the third meeting of the Fifth Committee, Lord Chelmsford dealt with the more general aspects of the opium problem. He pointed out that the Hague Convention, though it had only been in effective operation for about one year and nine months, had already led to important practical results. The position as regards the morphia traffic in the Far East had been elucidated, and there were good reasons to think that the grave evils connected with that traffic would not now be permitted to recur. That, in itself, was an achievement of the greatest importance; but there were many other indications that the Hague Convention was gradually leading to a firmer control of the drug traffic generally. It was pointed out that the stoppage or cessation of abuses would necessarily react on the demand for opium, and interesting statistics were supplied to the Committee showing how the acreage in India, the quantity manufactured at the Government factory there, the quantity exported to all destinations, and the quantity sold by auction, had all fallen rapidly in the course of the last few years. The point was pressed that the Hague Convention, though practically operative for less than two years, had already borne substantial fruit; there was no reason to think that, given honest and efficient administration, the Convention would prove inadequate for the suppression of all abuses connected with the drug traffic. We required universal acceptance of that Convention; universal adoption of the import and export certificate system; and sincere and effective administration of its provisions. Given that, the grave problems now before the League could undoubtedly be satisfactorily dealt with.

Sir Arthur Steel-Maitland again pressed the view that nothing of value could be achieved unless and until the legitimate requirements of each country as regards cocaine, morphia, &c., had been definitely decided; and he reiterated the suggestion that the Health Committee of the League should be pressed to produce such quantitative data. M. Velghe, of the Health Committee, poured a douche of cold

common sense on this suggestion; however advisable it might be to have such data, they could not be given at present; time, much labour, and much patient investigation of the results achieved by Governments sincerely desirous of controlling the traffic would be required before figures of any value could be put forward. In the course of the discussion, several delegates stated that their Governments were prepared to adopt the import and export certificate system; Lord Chelmsford urged, as a practical measure of much value, that each delegate should at once get into touch with his Government on the subject, with the object of announcing, if possible at the forthcoming Assembly meetings, the adherence of his Government to the system, and their decision to adopt it by the 1st January 1923. This suggestion was generally approved, and was followed up by the Secretariat, letters being sent to the delegates emphasising the importance of the matter. It is satisfactory to learn that after the conclusion of the Assembly's sessions a considerable number of States have since announced their adherence to the system. In speaking on this question, Mr. Chu again pressed the view that China had done everything she could do, but his speech produced very little effect; the facts as regards China are gradually becoming known; and, while the Committee respects Mr. Chu's personal energy and sincerity, they clearly do not share his strongly held and strongly expressed view that China has clean hands in the matter; that she is solely sinned against, and in no way sinning.

At the third meeting, Sir A. Steel-Maitland brought forward a resolution (of which he had give notice at the first meeting) inviting the Governments "of those countries into which the import of opium is at present limited not to increase the quantity of those imports until they have ascertained and reported to the League the estimated amounts, respectively, of their legitimate consumption." This was stated to be directed against Hong Kong, and to relate to the request from that Government for an increased supply from India. He stated the case carefully and temperately. There was, of course, no attack, open or covert, on India. Mrs. Coombe-Tennant replied in an excellent speech; the facts were clearly stated, and an undertaking was given that the actual consumption in Hong Kong, even with the increased imports, would not be allowed to exceed the consumption of the last few years. Mr. Chu again intervened in the debate; he protested violently against "the poisoning of China" by Indian opium imported into Hong Kong; and made a long and impassioned appeal to allow no increase in the Hong Kong imports. The Indian delegate then pointed out that China's argument was clearly unsustainable, as, on the lowest estimate, China was at present producing 754 times the supplementary quantity asked for by Hong Kong. Mrs. Coombe-Tennant supported this view, and said that the crux of the situation was the smuggling of opium into Hong Kong from China. Mr. Chu, entirely unimpressed, merely reiterated his previous arguments. Eventually, Sir A. Steel-Maitland withdrew his motion, in view of the assurances given by the British representative, and the discussion terminated.

Mr. Chu then brought forward the resolution referred to in para. 61 above, but in view of the criticisms on the resolution in its original form, he had re-cast it entirely. In its new shape it was quite unobjectionable, though of no practical use; and in the circumstances formal support was accorded to the revised resolution, which will be found below. The discussion then terminated, but noteworthy declarations were made by the delegates for Switzerland and Persia. The former anticipated the ratification and effective adoption of the Hague Convention by Switzerland towards the end of this year, and he intimated that his country proposed to bring into effect, at the same time, the import and export certificate system. The Persian delegate informed the Committee that he had telegraphed to his Government, urging them to put the Convention into force, and to withdraw their reservation as regards Article 3 (a).

63. The discussion of the report of the Fifth Committee as regards opium (which is given in Appendix II., Annex (xi)) did not long occupy the attention of the Assembly. The debate was opened by Lord Chelmsford, who laid stress on the necessity for international co-operation, for universal acceptance of the Hague Convention, and of the import and export certificate system, and for honest and effective administration, if any real progress was to be made. Despite goodwill, things were not moving as fast or as well as they should, because of delays in ratifying agreements; delays in putting these agreements into force; delays in furnishing the statistical information without which the Opium Advisory Committee could not get to work. The Hague Convention was adequate, so far as could

be seen, to cope with all the abuses connected with the traffic, provided it were universally accepted and administered in an honest and sincere way. He appealed to all the delegates to move their Governments to correct and avoid obvious defects in the administrative machinery, which were so hindering the work, and which retarded so seriously the attainment of the end they all had in view. His Highness the Maharajah Jam Sahab of Nawanagar followed, the next day, with a speech which impressed upon the delegates the Indian point of view as regards the use of opium in the East. It was a solace, a sedative, a household remedy; abuse was very rare indeed; and its normal use was in many respects comparable with the use of tea, or wine, or beer in Western countries. These two speeches are given in full in Appendix IV. Mr. Chu and Sir A. Steel-Maitland also spoke, but their remarks call for no comment. The debate ended, somewhat unfortunately, on a strong speech by Colonel Ward. He associated himself entirely with the views of the second Indian delegate; he also felt that there was a danger that the organisation of the League of Nations might be captured, or widely influenced, by societies with extremist views as regards opium; he laid stress on the usual inability of such societies to distinguish between "use" and "abuse"; and he made a strong claim for the adequate safeguarding of the rights of the individual. The speech brought into the field of discussion considerations which are but too often lost sight of; yet the general effect was probably unfortunate, inasmuch as there was no reason for such a warning at this stage and no real necessity for it. The result was that the debate ended on a wrong note.

The following Resolutions were adopted by the Assembly unanimously:—

" 1. The Assembly being convinced that the most practical means of exercising control over the traffic in dangerous drugs is by means of the import and export certificate system, and believing that only international action can make this system a success, urges on all Governments the vital necessity of adopting this import and export certificate system without delay. Assembly
Resolution
No. 3,
(19 Sept.).

" 2. The Assembly inclines to the view that the Governments which are Parties to the International Opium Convention should be asked to agree not to issue licences for the import of opium, or the other drugs to which the Convention applies, from any country which has not yet ratified and put into force the Convention, and adopted the system for the control of exports and imports approved by the Second Assembly in para. 1 (3) of the resolution adopted on 30th September 1921, and previously approved by the Council on 28th June 1921. The Assembly considers this question important and urgent, but, recognising the complicated and technical character of the issues involved, it is of opinion that the matter should be examined in detail by the Advisory Committee on Traffic in Opium, before any definite action is taken. It therefore requests the Council to convene a meeting of the Advisory Committee, as soon as possible, to study the question, and should that Committee report in favour of the proposal, the Council is asked to act at the earliest possible date on the recommendations of the Advisory Committee in the form approved by the Council, and without further reference to the Assembly if the Council considers such reference unnecessary.

" 3. The Assembly being of the opinion that the first step necessary in limiting the world's supply of dangerous drugs to legitimate uses is a knowledge of the amount of drugs required by each country for internal consumption, urges the Governments to supply the returns asked for with the least possible delay and with the greatest accuracy in their power. The various Governments should, with a view to allowing comparison to be made, state clearly the system adopted in arriving at the estimate, and should supply a secondary statement showing estimated consumption per 100,000 inhabitants.

" 4. The Assembly of the League of Nations again desires to emphasise the view expressed in the report of the Advisory Committee that so long as the drugs to which Part III., particularly Article 9, of the Opium Convention applies are produced in quantities exceeding the legitimate requirements, there is a great danger that the surplus will find its way into illegitimate channels, and that the control of production, so as to limit it to the amount required for medical and legitimate purposes, is the most effective method of putting a stop to the illicit traffic. It recommends that the enquiry now proceeding into the world's legitimate requirements should be pressed forward as rapidly as possible, and expresses the hope that a provisional estimate and scheme will be submitted to the Assembly next year.

" 5. The Assembly, convinced of the urgent necessity of securing the fullest possible co-operation in the work of the Advisory Committee on Traffic in Opium and other dangerous drugs, and considering the fact that the United States of America is one of the most important manufacturing and importing countries, recommends to the Council of the League that it should address a pressing invitation to the Government of the United States to nominate a member to serve on the Committee."

DEPORTATION OF WOMEN AND CHILDREN IN TURKEY AND ADJACENT COUNTRIES.

64. Dr. Kennedy, the Chairman of the Commission of Enquiry, who was appointed after the First Assembly to carry out investigations into the alleged cases of deportation of women and children in Turkey and the neighbouring countries during the Great War with a view to their subsequent rescue, introduced his report to the Committee. The Second Assembly had recommended the appointment of a High Commissioner to

proceed to the active rescue of women and children, but by the authority of the Council the Commission of Enquiry were charged with the duties which it was intended the High Commissioner should carry out. He, Dr. Kennedy, said that the number of deportations and massacres had not decreased as time went on: He had established an office and a staff, had taken over the neutral house already established at Constantinople, secured the support of the Allied police and other authorities, and had proceeded to the active work of reclamation. Committee V. were of opinion that Dr. Kennedy, in conducting the practical work of reclamation, was inspired with the same motives, and had the same conception of his task, as that of the Assembly itself. The Committee's report to the Assembly drew special attention to the work of Miss Jeppe at Aleppo, who estimated that she would be able to reach 30,000 Armenian women and children and recover them from the houses in which they were detained, but for this purpose it was essential she should have more monetary assistance from the League. The Committee recommended the following Resolutions, which were unanimously adopted by the Assembly:—

Assembly
Resolution
No. 27,
(28 Sept.).

"1. The Assembly approves the conclusions of the report presented by Dr. Kennedy, Chairman of the Commission of Enquiry on Deported Women and Children, and is of opinion that the League of Nations should continue its work in this direction.

"2. The Assembly requests the Council to urge the Governments responsible for any territories, either under mandate or under Allied control, where members of the Commission for the reclamation of women and children are working, to instruct their officials in these territories to give strong support and assistance to the Commission and its members.

"3. A further sum of 1,500*l.* shall be allocated to the funds of the Commission, in order that the valuable work at present being undertaken by the Commission in Aleppo may be continued."

TRAFFIC IN WOMEN AND CHILDREN.

65. Mrs. Coombe-Tennant (British Empire) presented to Committee V. a report from the Advisory Committee on the Traffic in Women and Children. The report dealt with the following matters:—The ratifications of the 1904–1921 Agreements and Conventions, the Questionnaire issued in 1921, International Voluntary organisations, the Central Authorities set up in various countries, the method of dealing with information, the employment of women abroad at theatres, music-halls, &c., the International Emigration Commission, juvenile courts, annual reports, the provisional budget for 1923, and the Committee's rules of procedure. It also contained the following resolutions:—

"1. The Advisory Committee recommends that those members of the Committee whose Governments are not parties to the Convention of 1921 should ask their Governments to take the necessary action without delay. The Advisory Committee further recommends that all Members of the League which have not signed the Convention should be urged to do so as soon as possible.

"2. The Advisory Committee recommends that, in view of the great interest which both Germany and the United States have shown in the question of the traffic in women and children and of emigration, both these countries should be invited by the Council of the League to appoint members to serve on the Advisory Committee.

"3. The Advisory Committee expresses the opinion that, in accordance with the conditions originally suggested by the International Bureau, it is desirable that, in the formation of National Committees, each Committee should be as widely representative as possible and should be formed irrespective of creed or political opinion.

"4. The Advisory Committee recommends that the Council should urge all Governments signatory to the Agreement of 1904 or the Convention of 1921, to appoint a Central Authority under Article 1 of the 1904 Agreement, if they have not already done so. These Central Authorities should be attached to an executive service and it should be their duty to communicate with each other.

"A list of the Authorities should be circulated from time to time to all Members of the League and to all Parties to the Agreement or Convention.

"The Advisory Committee is of opinion that the Secretariat of the League of Nations should, in view of the responsibility placed upon the League by Article 23 (c) of the Covenant, keep in close touch with these Authorities.

"5. The Advisory Committee recommends that, in the case of women and girls seeking theatrical engagements abroad, the competent authorities should be invited to warn them before passports are issued against the risk of accepting such engagements without preliminary enquiry, and should offer to advise them as to the reasonableness of these contracts. Similar steps should be taken by representatives of the Governments abroad when a woman proposes to accept a fresh contract in another foreign country.

"The Voluntary Associations, including professional associations, might, with great advantage, be asked to take part in this work.

"6. The Advisory Committee recommends that Governments should be asked to consider the desirability of proposing legislation to protect minors who are seeking employment abroad.

"7. The Advisory Committee recommends that Governments should undertake to ascertain the conditions under which girls are employed to perform in theatres, music-halls, &c., and should exercise

supervision as far as possible over such employment in order to secure that no attempt is made by the management of theatres or music-halls to induce the girls to lead immoral lives and that the hours of employment and conditions of the contract are reasonable; foreign girls should receive the same protection as nationals, and where a foreign girl visits another country to undertake a temporary contract, facilities should be given her to return to her home at the end of the contract.

" 8. Copies of the three preceding resolutions should be forwarded to the International Labour Office.

" 9. The Advisory Committee expresses its complete concurrence in the principle enunciated by the International Emigration Commission in No. 17 of the resolutions in its report, that measures proposed for the protection of emigrants should apply equally, so far as they are appropriate, to women and children as to men.

" 10. The Advisory Committee recognises that a strict supervision of the conditions under which emigrants pass from one country to another is likely to exercise a strong influence in checking the traffic in women and children. It welcomes, therefore, generally the measures which the International Emigration Commission proposes should be taken, especially those contained in Resolutions 4, 6, 10, 12, 13, 16, 22 and 26.

" 11. The Advisory Committee is glad to observe that in Resolution 19 the International Emigration Commission proposes that the question of protecting emigrant women and children should be fully considered by the International Labour Conference. The Advisory Committee would like to suggest that the following matters, among others, might receive consideration:—

" (a) The desirability of securing close co-operation between Governments and private shipping companies;

" (b) The possibility of safeguarding women engaged for employment in a foreign country against unfair and unreasonable contracts and of providing for their return to their country if they wish, at the end of a definite period;

" (c) In the framing of measures for the protection of immigrant women and children, regard should be paid not only to material conditions, such as are suggested in Resolution 22 of the report of the Emigration Commission, but also to moral considerations.

" 12. As the questions relating to emigration have a close connection with that of the traffic in women and children, the Advisory Committee recommends that its Secretary should be invited to be present at the meeting of the International Labour Conference when these questions are discussed.

" 13. The Advisory Committee adopts the present budget for social questions and the traffic in women and children for the first year, while expressing the wish that expenditure may be reduced if possible in the next financial year."

* In Committee V. Lord Chelmsford stated that a resolution in favour of ratification of the 1921 Convention had been passed by both Houses of the Indian Legislature with the proviso that India reserved the right to substitute the age of 16 years for those given in the final Protocol of the 1910 Convention and in Article 5 of the 1921 Convention, viz., 20 and 21 respectively. That reservation had been made by other Eastern countries on account of the much earlier age at which maturity was reached in the East. The Convention had been duly ratified by India, and the Government of India, Lord Chelmsford stated, were taking steps to pass the laws required to give effect to the Convention.

The delegate for New Zealand drew the attention of the Committee to the serious problem which arises from prostitution in seaports. He did not move a resolution, but he expressed the hope that every Government would make careful enquiry into the conditions prevailing at their own ports and that it might be found possible to take some international action at a further session of the Assembly. The Polish delegate brought forward the question of the employment of foreign women as prostitutes in licensed brothels and stated that Poland had decided to abolish licensed houses. After a discussion it was decided that the matter was one which ought to be considered by the Advisory Committee, and the second resolution, given below, was passed unanimously by the Committee. The French delegate stated, however, that there was nothing in French legislation which allowed such a proposal to be put into practice, but he agreed that the question should be referred to the Advisory Committee.

Committee V., in its report to the Assembly, drew attention to (1) the importance of early ratification of the Convention of 1921 by States who had not yet ratified; (2) the fact that the carrying out of the administrative measures prescribed by the Conventions depend to a large extent on the appointment in each State of Central Authorities; (3) the scheme for the co-ordination of international work in connection with the traffic, under which scheme the Secretariat of the League will keep closely in touch with the Central Authorities as well as with voluntary organisations; (4) the question of affording greater protection to women who accept engagements abroad to perform in theatres, music-halls, &c.; (5) the annual report which Governments will be asked to furnish.

66. The Assembly approved the report of Committee V. and unanimously adopted the following Resolutions, the Spanish delegate abstaining. The Count de Gimeno (Spain) said that public opinion in Spain was divided concerning the system of

licensed houses, and he would be obliged to abstain from voting on the resolution, though as a medical man he was in favour of it.

The Assembly decides:—

Assembly
Resolution
No. 19
(25 Sept.).

1. That the report of the Advisory Committee on Traffic in Women and Children (A. 9 (1) 1922) be adopted.

2. That, in view of the fact that the system of State regulation which exists in certain countries is thought in many quarters to encourage the traffic in women, the Advisory Committee should be asked by the Council to consider whether, pending the abolition of the system, it could be agreed that no foreign woman should be employed or carry on her profession as a prostitute in any licensed houses, and that the recommendations of the Advisory Committee on the subject should be included in its next report to the Council.

The situation to date, as regards the signatures and ratifications of and adhesions to the Arrangement of 1914, the Convention of 1910, and the Convention of 1921, is shown in Appendix II., Annex (x). The Convention of 1921 has been signed by 33 and ratified by 10 States. During the discussions in Committee the delegates of Greece, Cuba, Japan, Italy, Roumania, China, Portugal, Switzerland, Serb-Croat-Slovene, Sweden and Chile announced that their respective Governments hoped shortly to ratify the Convention of 1921.

RUSSIAN REFUGEES.

67. The question of Russian refugees was placed upon the agenda of the Assembly for the first time since the League of Nations began the consideration of this problem. On the 4th September 1921 Dr. Nansen accepted the post of High Commissioner to co-ordinate the actions of Governments and of private organisations for the relief of the refugees. His first duty was to find a practical solution of the problem; to bring material aid to refugees in distress, and to assure co-ordination of the efforts made by the organisations already working for this purpose. Conferences were convened in August and September 1921, at which resolutions were adopted to serve as guiding principles for his work. Afterwards Dr. Nansen submitted to the Council various reports on the progress of his work—the maintenance of necessitous refugees—an enterprise which the High Commissioner estimated in August 1921 would require, approximately, two hundred million francs; the evacuation of Russian refugees and their distribution in countries which are in a position to offer them the means of living, and steps for the definition and regulation, by means of an agreement between the Governments specially interested, of the legal status of Russian refugees. Dr. Nansen, after negotiations and discussions, proposed a special identity certificate for the refugees, but several Governments raised objections of an administrative and political character which hindered its adoption. During the discussion of the High Commissioner's report in Committee V. several members announced that their respective Governments had given their approval in principle to the identity certificate passport approved by the Council, but other delegates intimated that they were obliged to propose certain modifications. The Committee testified to the success with which Dr. Nansen—when in course of organising the movement of which he had undertaken the direction—had devoted his efforts to alleviating the distress of the refugees of Constantinople, numbering about 25,000. His efforts to secure the admission of Russian refugees into overseas countries had encountered obstacles which were hindering the practical solution to the problem: replies from Governments in most cases were disappointing. Certain members of the Committee reserved their opinions regarding the advisability of repatriation. The following Resolutions were proposed by the Czecho-Slovakia delegate:—

“ The Assembly having heard the report of the High Commissioner of the League for Russian Refugees on the work which he has accomplished during the past year, wishes to express its entire approval of the way in which the High Commissioner has discharged the duties laid upon him and to record its high appreciation of the services he has rendered to the refugees and to the League.

“ The Assembly further adopts the following Resolutions:—

“ 1. It invites the Council to request the Governments of the Members of the League to continue to lend to the Delegates of the High Commissioner in their respective territories the support and assistance which they have hitherto given.

“ 2. It invites the Council to request the Governments of the Members of the League to place as far as possible the services of their national labour exchanges at the disposal of the Russian refugees in order that they may be able to find productive employment and to accord all possible liberty of movement to refugees to travel within their territories in search of work.

“ 3. It invites the Council to draw the attention of the Governments of the Members of the League to the importance of the system of identity certificates adopted at the Conference on the subject held at Geneva in July 1922, and to request those Governments which have not yet given a favourable reply to consider whether they cannot without delay bring this system into force.

" 4. It invites the Council to urge the Governments of all the great immigration countries to relax their immigration restrictions in favour of Russian refugees, and to come to the rescue of the overcrowded European labour markets by making firm offers of employment in their territories to the Russian refugees."

The Serb-Croat-Slovene delegate moved the following addition :—

" The Committee requests the Council to provide for international co-operation in States where Russian refugees were congregated in order to assist these States in helping sick and invalid refugees or those who are not in a position to find employment on account of old age."

The Australian delegate was not disposed to accept the second and fourth Resolutions proposed by the Committee. Resolution 2 was contrary to existing laws in Australia. Resolution 4 was impracticable, because Australia was too far away from Europe. Australia had already entered into a very heavy financial engagement to take a number of emigrants from Great Britain, about 100,000 people per year. One of the results of that would be to reduce unemployment in Europe. He did not think that the sending of refugees to Australia was a practical scheme at the present time. What they desired was immediate relief. It was not because he did not approve of Resolutions 2 and 4 that he did not assent to them, but because Australia felt it was impracticable to fall into line with them at the present time. After a discussion it was decided that a small Sub-Committee should be appointed to draft fresh proposals for submission to the Committee. It presented the resolutions given below, which were unanimously adopted by the Assembly :—

● " The Assembly, having heard the report of the High Commissioner of the League of Nations for Russian refugees on the work which he has accomplished during the past year, approves this report (A. 84), and wishes to express its entire satisfaction with the way in which the High Commissioner has discharged the duties entrusted to him, and to record its high appreciation of the services he has rendered to the refugees and to the League.

Assembly
Resolution
No. 21
(28 Sept.).

" As the work is not yet finished, the Assembly invites the High Commissioner to continue to apply the same methods of work as hitherto.

" It further decides :

" (1) To invite the Council to request the Governments of the Members of the League to continue to lend to the High Commissioner the support and assistance which they have hitherto given him, especially as regards the development of the means of general and professional education and the securing of employment for the refugees.

" (2) To invite the Council to draw the attention of the Governments of the Members of the League to the importance of the system of identity certificates adopted at the Conference on the subject held at Geneva in July 1922, and to request those Governments which have not yet given a favourable reply to consider whether they cannot, without delay, bring this system into force.

" (3) To request the Council to provide by international co-operation for the maintenance of the Russian refugees who are incapable of providing for their own livelihood in the States where they are congregated."

68. M. Ador (Switzerland), when presenting the report of the 5th Committee to the Assembly, drew particular attention to the question of repatriation. Several members of Committee V. had thought fit to make reserves regarding the desirability of repatriating the refugees. His observations, therefore, were only the expression of his personal opinion. In his report the High Commissioner had stated that he hoped to conclude an agreement upon the basis of the amnesty which had been published by the Soviet Government. M. Ador urged the need for an agreement which would contain every possible guarantee for the safety of these refugees. No refugee should be compelled to return to his country against his will, and all those who were repatriated must be guaranteed full liberty, assured of their personal safety, and allowed to carry on their occupations in Russia without any hindrance or ill-treatment. The League of Nations should act with the greatest prudence in any agreement which might be made with the Soviet Government, and which should be submitted to the League for approval. Representing the Comité Internationale de la Croix Rouge, he felt it his duty to draw the attention of the League, and of the High Commissioner, to the necessary conditions of an agreement with the Soviet Government. Dr. Nansen replied to these remarks. He did not think that protests (which, he said, were influenced by political considerations) such as he had received from certain Russian groups when in the previous year it was proposed to relieve the starving population of Russia, should be allowed to impede the work of relief. It was not proposed to send these refugees back to Russia without guarantees. No one would be obliged to return to Russia against his will.

OBSCENE PUBLICATIONS.

69. At the instance of the British Government, the question of obscene publications was placed on the agenda of the Assembly, and was referred to Committee V. The French Government summoned in 1910 an International Conference on the question,

from which resulted an administrative Agreement and a draft legislative Convention. This Agreement, which was signed by 15 States and subsequently ratified by 14, had been of the greatest value in starting the campaign against the evils of the traffic, but unfortunately the Convention which was intended to complete it never got beyond the draft stage. Mrs. Coombe-Tennant, the British Empire delegate, stated the reasons which led the British Government to introduce the matter. The Agreement of 1910, whilst providing valuable machinery, was not by itself an adequate instrument for the suppression of the trade. The laws of many States were insufficient for the purpose, and uniform legislative measures were required to give the necessary sanctions for this class of offence. For this purpose a new Convention was needed dealing with legislative measures. The Greek delegate explained in detail why the Arrangement of 1910 should be accepted. Its provisions, being administrative in nature, could be carried out without affecting in any way the internal legislation of the different States, while on the other hand the draft Convention involved changes in legislation and certain modifications appear to be called for. The delegate of Greece made this statement in the form of resolutions, but accepted the suggestion that the substance of his proposals should be incorporated in the Committee's report. The first proposal made was that the draft Convention should be considered by a small expert Commission to be appointed by the Council, but in view of the criticisms made by the French and the Serb-Croat-Slovene delegates it was decided that the best plan would be to have a general International Conference consisting of delegates with full powers. The Committee came to the conclusion that the French Government should be invited to summon a Conference at Geneva under the auspices of the League of Nations on the understanding "that the competence of the League to summon a conference for the consideration and preparation of a Convention, and to open a protocol for the signature of any such Convention by delegates duly authorised by their Governments is not in question, and that the action taken to-day is not to be regarded as a precedent." Certain apprehensions that legislation in this matter might interfere with the liberty of art and literature were expressed in Committee, but were not pressed, more especially as it was pointed out that these dangers had been fully discussed and their remoteness exposed in the deliberations of the Conference of 1910.

The trade which the Committee had in mind is a specific one, concerned with the production and distribution of articles intended merely to gratify the passions of depraved persons or to spread corruption among others, especially the young of both sexes.

Some discussion also took place on the possibility of arriving at an international definition of the word "obscene." It seemed best to the Committee to leave this question to the consideration of the proposed Conference. The Committee finally came to a unanimous agreement on the following resolutions, which it presented to the Assembly, by whom they were unanimously adopted:—

The Assembly decides:

(1) To ask the Council of the League, in accordance with Article 24 of the Covenant, to authorise the Secretariat to assist Members of the League and any other States which are parties to the international movement for the suppression of obscene publications, in all measures which may be necessary for this purpose.

(2) To ask the Council to draw the attention of all States to the International Agreement of 1910: those States which have signed or acceded to it should be asked to give full effect to its provisions, and those States which are not yet parties to it should be urged to accede to it at an early date.

(3) To invite the Council to communicate the draft Convention of 1910* with a questionnaire to every State with the request that it should forward its comments thereon to the Secretariat of the League of Nations. The Secretariat will co-ordinate the replies received and submit them as a whole to the French Government, requesting it, on behalf of the Council, in view of the initiative taken by that Government in 1910, to convene a new conference under the auspices of the League, to be held at Geneva about the time of the Fourth Assembly, and to be composed of plenipotentiaries empowered to draw up the text of a new convention and to sign such a convention.

GREEK AND ARMENIAN REFUGEES FROM ASIA MINOR.

70. On the 18th September the President of the Assembly read a communication, reproduced in para. 80, which he had received from Dr. Nansen. The first portion of the letter, dealing with the humanitarian side of the question, was referred to Committee V., to whom Dr. Nansen explained the conditions on which the work could be undertaken, but said it was mainly a question of finance. The Secretary-General replied that it would be easier to deal with the question if Dr. Nansen could give a rough estimate of the sum he required. He understood

* The draft Convention of 1910 is given in Annex (xii) of Appendix II. (page 95).

that the only expenses which he proposed should fall on the League would be those of administration. 100,000 gold francs might be taken for immediate purposes from the 500,000 gold francs (item "Unforeseen Expenditure") and he hoped that the Council would give a favourable reply. When that sum was exhausted the administrative expenses would have to be covered by other means. The Persian and other delegates supported Dr. Nansen. Various alternative proposals were suggested, but after discussion it was unanimously decided that they might be combined into a single resolution as follows:—

The Assembly, having heard Dr. Nansen's statement regarding the critical situation of more than 200,000 refugees from Asia Minor, and his offer of the services of his Russian refugee organisation for administration of any funds contributed for the benefit of the refugees;

Assembly
Resolution
No. 4
(19 Sept.).

And, considering that this is a work which demands immediate action by the League:

Recommends that the High Commissioner of the League be authorised to utilise the services of the Russian refugee organisation to assist in the relief of refugees from the Near East and for the administration of the money collected for this purpose, it being understood that the League undertakes no responsibility for these refugees, that the work for Russian refugees shall continue without hindrance, and that this additional activity be considered as of a temporary nature;

And, recognising the urgency of providing an adequate administrative organisation for these refugees:

Invites the Council to consider whether it cannot place at the disposal of Dr. Nansen, from the item "Unforeseen expenditure," a sum sufficient to enable the necessary administrative measures to be taken for a period which will allow for adequate arrangements to be made from other sources.

This resolution was unanimously adopted by the Assembly, after Dr. Nansen had explained that if the Council granted the credits required, they would suffice to cover the costs of administration, and it would afterwards be necessary to collect considerable sums. For this purpose he addressed an appeal to all the nations of the world on behalf of the 200,000 victims in need of assistance. On the 25th September Lord Balfour said that he desired to bring before the Assembly a question of humanitarian interest. The British Government had been informed that there was real danger of some great calamity happening to the large number of refugees, Armenians and Greeks, then without shelter and without food in Smyrna. The British Government was prepared to give a sum of 50,000*l.* provided the other Governments would together provide an additional amount of 50,000*l.*

The Assembly adopted the following Resolution:—

"The Assembly, having heard the statement of Lord Balfour, and recognising the extreme urgency of bringing effective aid to the refugees in the Near East, for which purpose financial assistance from the various Governments would be of the greatest value, decides that its Members will at once place the situation before their respective Governments, recommending an immediate and adequate financial contribution to Dr. Nansen's organisation."

Assembly
Resolution
No. 20
(25 Sept.).

The New Zealand delegate announced that his Government would subscribe 1,000*l.* Other contributions were promised during the subsequent meetings of the Assembly, viz., Greece, a million drachmae (about 5,000*l.*); Spain 2,000*l.*; Sweden, 1,000*l.*; Norway, 1,000*l.*; Canada, 5,000*l.*; Denmark, 1,000*l.*; Luxemburg, amount not stated.

REPATRIATION OF PRISONERS OF WAR.

71. On the 19th September the Assembly decided to place on its agenda the report of Dr. Nansen on the conclusion of the work of the repatriation of prisoners of war, which report was submitted to the Fifth Committee. Dr. Nansen had stated to the Committee that 166,579 prisoners of war had been repatriated from Russia to Europe, and 254,456 from Europe to Russia. This had involved no expenditure on the part of the League, the funds (400,000*l.*) having been provided by the Comité Internationale de Secours in Paris, various Governments, and from other sources. The report of the Fifth Committee was adopted by the Assembly, which passed the following Resolution:—

"The Assembly adopts the report (A. 32 (1), 1922) of Dr. Nansen, High Commissioner of the League of Nations for the repatriation of prisoners of war, and desires to state that, in the accomplishment of his mission, Dr. Nansen has indeed deserved well of humanity."

Assembly
Resolution
No. 11
(22 Sept.).

Work of Committee VI.—Political Questions.

ADMISSION OF HUNGARY.

72. This question was referred to a Sub-Committee consisting of M. Loudon (Netherlands) (Chairman), M. Benes (Czecho-Slovakia), Mr. Fisher (British Empire), M. Fortoul (Venezuela), M. Hanotaux (France), the Marquis Imperiali (Italy), and M. Motta (Switzerland). The Sub-Committee came to a unanimous decision in favour of the admission of Hungary after hearing a statement by Count Banffy, in which he solemnly declared Hungary's willingness to fulfil all her international treaties and

engagements. The Czecho-Slovakian delegate pointed out in Committee VI. that he had received a message from the Hungarian Section of the Reparations Committee stating that Hungary had not fulfilled all her obligations, but that in view of the solemn declaration by Count Banffy he would not oppose Hungary's admission. The question came before the Assembly on the 18th September. The Czecho-Slovakian delegate made a speech pointing out several instances in which Hungary had not yet completely fulfilled her obligations under the Treaty of Trianon. He stated that, nevertheless, in view of Count Banffy's undertaking, he was empowered to declare on behalf of the Roumanian, Serb-Croat-Slovene, and Czecho-Slovakia delegations that they would not oppose Hungary's admission to the League. The admission of Hungary was unanimously approved by the Assembly and the Hungarian representatives accordingly took their seats.

PROTECTION OF MINORITIES.

73. In the general debate on the Report of the work of the Council both Professor Gilbert Murray (South Africa) and Dr. Walters (Latvia) had proposed, with reference to sections (a), (b), (c), (d) of chapter 9 of the Report, that the question of the protection of minorities, with special reference to those having treaty rights (e.g., in Poland, Roumania, Czecho-Slovakia and the Serb-Croat-Slovene State) should be considered by a Committee of the Assembly. The Assembly agreed to refer this subject to the Sixth Committee. Professor Gilbert Murray opened by proposing the following resolutions:—

"1 Although in the event of serious breaches of the treaties it may be necessary for the Council to preserve its full right of direct action, the Committee recognises that in ordinary cases the best way for the League to encourage good relations between the different Governments which have signed minorities treaties and the minorities placed under their sovereignty, is to have informal and friendly communications with these Governments. For this purpose the Committee suggests that the membership of the Council may need to be reinforced.

"2. In the event of disputes concerning the interpretation of treaties or their application to particular cases, or concerning any point of fact on which their application depends, the Committee recommends that an appeal be made without delay to the decision of the International Court.

"3. In certain localities where the population is mixed, the Committee considers that the protection of minorities can only be realised in an effective manner by the appointment of a permanent representative of the League to give an impartial account of the conduct of both or of all the parties of the population concerned.

"4. The Committee, recognising the fundamental right of minorities to be protected by the League against all oppression, emphasises the duty laid upon persons belonging to minorities to co-operate as loyal citizens with the nations to which they now belong.

"5. The Committee expresses the hope that the States which are not bound before the League of Nations by any legal obligations towards minorities should nevertheless observe, in the treatment of their minorities, at least the same degree of justice and toleration required by the treaties."

Dr. Walters' somewhat wider suggestion for a full Commission of Enquiry into the subject with a view to drawing up a general convention regarding minority rights was dropped.

74. Professor Murray's resolutions did not by any means meet with universal approval, though supported by Lord R. Cecil and Dr. Nansen, and in particular Resolution 3 was subject to attack. Several nations, led by Esthonia, protested that there was no reason for having representatives of the League established in their country. Esthonia had already passed municipal laws giving full effect to the stipulations contained in the treaties regarding the rights and protection of minorities. The Italian representative stated that the proposal in Resolution 3 looked like a development of the theory of a super-State, and enquired in which States it was proposed to establish agents. The French and British representatives adopted an attitude of some reserve. It was explained by Lord Robert Cecil that one of the main points of this proposal was to facilitate the establishment of an agent of the League in Asia Minor, to watch the position of Armenia and other Christian minorities, in the event of a treaty being concluded with the Turks. Considerable discussion ensued as to whether the paragraph should be made applicable only in the case of new treaties which might be concluded. Protests were made by the French and Italian representatives on it being pointed out by Lord Robert Cecil that, though the framers of the resolution might have had in mind the case of Turkey primarily, under the resolution the League might appoint agents in any country of the world. At an earlier point in the discussion the offensive term "permanent" had been eliminated and "resident" substituted, and words inserted to show that agents were only to be sent with the consent of the Governments concerned. The

result of the discussion was that Resolutions Nos. 1, 4 and 5 were adopted, with a slight addition to the 5th proposed by the French delegate, and after further consideration by a Sub-Committee Articles 2 and 3 were re-drafted, and the third resolution suppressed, the following being inserted in the Committee's report:—

"Professor Murray further pointed out that, in certain cases of mixed population, where conflicts were frequent and serious, order had frequently been maintained and tranquillity restored by the mere presence of consuls or other representatives of foreign Governments, who could impartially report on events and bring to bear the influence of a wider public opinion.

"He observed that cases might arise in which the presence of resident representatives of the League might have an even more beneficent effect in view of the disinterestedness and the moral prestige possessed by the League, and suggested that the Council might well consider the desirability in suitable cases of employing such representatives, with the consent of the Government concerned, to allay public excitement and gradually to restore tranquillity in disturbed districts.

"The Commission feels the force of these observations and wishes to place them on record, but, considering the variety of possible contingencies which may have to be met, and the wide discretion in the hands of the Council for meeting them, thinks best not to embody the proposals in a definite resolution."

In connection therewith the British delegate declared that the withdrawal of this resolution did not imply that the British Government would relax its efforts in its desire and determination to protect minorities in Asia minor.

75. When the question of minorities came before the Assembly His Highness the Jam Saheb of Nawanagar took the opportunity to address an appeal to the representatives of South Africa to press the Government of South Africa to redress the long-standing grievances of the Indian minority in South Africa. His speech will be found in Appendix IV.

The Assembly unanimously adopted the following Resolutions proposed by the Committee:—

"1. While in cases of grave infraction of the Minorities Treaties it is necessary that the Council should retain its full power of direct action, the Assembly recognises that in ordinary circumstances the League can best promote good relations between the various signatory Governments and persons belonging to racial, religious or linguistic minorities placed under their sovereignty by benevolent and informal communications with those Governments. For this purpose, the Assembly suggests that the Council might require to have a larger secretarial staff at its disposal.

Assembly
Resolution
No. 7
(21 Sept.).

"2. In case of difference of opinion as to questions of law or fact arising out of the provisions of the Minorities Treaties, between the Government concerned and one of the States Members of the Council of the League of Nations, the Assembly recommends that the Members of the Council appeal without unnecessary delay to the Permanent Court of International Justice for a decision in accordance with the Minorities Treaties, it being understood that the other methods of conciliation provided for by the Covenant may always be employed.

"3. While the Assembly recognises the primary rights of the minorities to be protected by the League from oppression, it also emphasises the duty incumbent upon persons belonging to racial, religious or linguistic minorities to co-operate as loyal fellow-citizens with the nations to which they now belong.

"4. The Assembly expresses the hope that the States which are not bound by any legal obligations to the League with respect to minorities will nevertheless observe in the treatment of their own racial, religious or linguistic minorities at least as high a standard of justice and toleration as is required by any of the Treaties and by the regular action of the Council.

"5. The Secretariat, which has the duty to collect information concerning the manner in which the Minorities Treaties are carried out, should not only assist the Council in the study of complaints concerning infractions to these Treaties, but should also assist the Council in ascertaining in what manner the persons belonging to racial, linguistic or religious minorities fulfil their duties towards their States. The information thus collected might be placed at the disposal of the States Members of the League of Nations if they so desire."

MANDATES.

76. The examination of the report of the Permanent Commission on Mandates, which had been referred by the Assembly to the Sixth Committee, was conducted in a Sub-Committee, consisting of M. Dantes Bellegarde (Haiti), Sir Francis Bell (New Zealand), Lord Robert Cecil (South Africa), M. Gabriel Hanotaux (France), Sir Cecil Hurst (British Empire), M. Paul Hymans (Belgium), the Marquis Imperiali (Italy), Viscount Ishii (Japan), Dr. Nansen (Norway) and Mr. Justice Rich (Australia). The appointment of this Committee led to an interesting proposal by the Persian delegate, which was accepted by the Committee, that the members of any Sub-Committee should be elected by a secret ballot, instead of by open approval of a list of names proposed by the Chairman. This proposal was never transmitted to the Assembly, and presumably had no binding force, except as regards the proceedings of the Sixth Committee during the session of the Third Assembly.

77. Discussion in the Sub-Committee on the report of the Permanent Mandates Commission and its connected documents (which are not reproduced in this Report)

evoked few points of general interest, attention being mainly given to certain points of detail, such as the exact constitutional position of the mandatory administration of the island of Nauru, the conditions under which certain phosphate rights in that island had been acquired by the Governments of Australia and New Zealand, and regarding the conditions of the sale of land in that island. Perhaps the most important point of general interest was that raised by M. Bellegarde (Haiti), who desired that some procedure should be prescribed by which the inhabitants of mandated territories could present petitions to the League. It was discovered, however, that this question was already under consideration by the Council, and consequently the proposals on the subject formulated by the Committee were of a somewhat indefinite nature (see No. III. of Resolutions below which were finally passed). M. Bellegarde had in the Assembly drawn attention to the circumstances attending the suppression of the Bondelzwart rebellion in 1922. The Sub-Committee contented itself with expressing satisfaction with a statement made by Sir Edgar Walton that a full impartial enquiry should be held, and with recommending that every effort should be made to relieve the survivors.

There was practically no discussion in the Committee on the report presented by the Sub-Committee.

78. When the question of mandates came up in the Assembly, Sir Francis Bell (New Zealand), made a speech in which he urged that the report of the Permanent Mandates Commission should be a confidential report to the Council, and not to the public, in which the Commission might give to the Council full advice as to the action taken by the Mandatory Powers and as to the best course to be followed by the League, and that the Council should then make a further report to the Assembly. He contended that it was impossible under the present system, by which the report of the Permanent Mandates Commission was made public, for that report to contain, if it was to avoid giving offence to the Mandatory Governments, the unrestrained advice which was so necessary. Sir Francis Bell also complained of the procedure by which the report of the Permanent Mandates Commission was dealt with by a sub-committee of a Committee of the Assembly, at which delegates of the Mandatory Powers were given a right of audience. He claimed that, if there was to be criticism or adverse comment on the administration of the Mandatory Powers, no weight could be given to such criticism unless it had been confirmed by the Assembly after free discussion in which the delegates of the Mandatory Powers had taken part.

Sir Sivaswamy Aiyer delivered a speech on the subject of mandates, drawing attention to various points of importance, and in particular inviting attention to the danger which there seemed to be that the South African Government should regard the mandated territory of South-West Africa as practically part of the South African Union. This speech, which is given in full in Appendix IV., attracted considerable attention on the part of the various Dominion delegates, Sir Edgar Walton (South Africa) apparently somewhat resenting criticism on this point from the Indian delegation, in view of the fact that there are no Indians in that mandated territory. Sir Edgar also replied to some comments that had arisen owing to the fact that no South African representative had appeared before the Permanent Mandates Commission, explaining that the only person who could have given them real assistance was the Administrator of the South-West Territory, who had at the time been conducting active operations.

M. Bellegarde (Haiti) pressed his point that there should be some procedure for assuring that petitions from the inhabitants of the mandated territories should not be suppressed, and Lord Robert Cecil threw out a suggestion that, while the proper channel should, as proposed, be through the Mandatory Government, a copy should simultaneously be forwarded to the League, on which the League would not normally take action until it had received the comments of the Mandatory Government.

The resolutions finally passed by the Assembly were as follows:—

"I. The Assembly wishes to express its keen satisfaction that the terms of the mandates which had not been promulgated in 1921 have now been defined; that reports on the administration of mandated territories have been presented to the Permanent Mandates Commission and examined in the presence of duly accredited representatives of the Mandatory Powers; and that the mandates system has thereby been brought fully into force.

"The Assembly wishes, in particular, to express its deep gratitude to the Permanent Mandates Commission for the great care and impartiality which it has devoted to the accomplishment of its important and delicate task.

"II. The Assembly, highly appreciating the action taken by the Government of South Africa in communicating, in its capacity of Mandatory Power for South-West Africa, the report of the Bondelzwart

Rebellion, 1922; moved by feelings of great anxiety for the welfare and the relief of the survivors, resolves to express:—

“(a) Its profound satisfaction with the official statement made by Sir Edgar Walton, Delegate for South Africa, that a full and impartial enquiry will be made into all the facts of the Bondelzwart Rebellion and its repression;

“(b) The confident hope that the Permanent Mandates Commission, at its next session, will consider this question and be able to report that satisfactory conditions have been established, and that, in the meanwhile, the Mandatory Power will make every effort to relieve the suffering of the victims, particularly the women and children, and that it will ensure protection and restitution of the remaining livestock, and, in general, the restoration of the economic life in the Bondelzwart district.

• “III. The Assembly, having considered the matter of the right of petition alluded to in the report of the Permanent Mandates Commission, expresses the hope that this right may be defined in such a manner as to ensure that—

“(a) All petitions emanating from inhabitants of mandated areas will be sent to the Permanent Mandates Commission through the intermediary of the local administration and of the Mandatory Power;

“(b) No petition concerning the welfare of the inhabitants of mandated areas emanating from other sources will be considered by the Permanent Mandates Commission before the Mandatory Power has had full opportunity of expressing its views.”

SLAVERY IN AFRICA.

79. Sir Arthur Steel-Maitland (New Zealand) had, in the course of the general debate in the Assembly on the Report of the Council, asked that investigation might be made into the question of slavery in Africa. This point was referred to the Sixth Committee and by it to the same Sub-Committee as was concerned with mandates. Sir Arthur explained that there was reason to believe that there was a recrudescence of slavery in Abyssinia. In view of the absence of precise information and of the difficulty caused by the fact that Abyssinia was not a Member of the League, it was considered that it was not possible to proceed further with the investigation of the subject. The Committee contented itself with proposing the following recommendation, which was adopted by the Assembly without discussion:—

• “The Assembly decides that the question of slavery shall be included in the agenda of the Fourth Assembly, and requests the Council to represent to the Fourth Assembly a report on the information which it shall have received on the matter.”

Assembly
Resolution
No. 6
(21 Sept.)

NEAR EAST.

80. On the 18th September the President read to the Assembly the following communication which he had received from Dr. Nansen:—

“I have received from my Assistant High Commissioner for Russian Refugees in Constantinople an urgent telegram requesting permission to utilise the organisation of the High Commissariat in that city for administering relief to the many thousands of Greek and Armenian refugees who have arrived there from Smyrna and Broussa.

“As this request raises a question of principle of some importance, I venture to ask for your permission to lay the telegram before the Assembly at its next plenary meeting, and to suggest to the Assembly on what conditions I believe it might be complied with.

“In this connection may I avail myself, of this same opportunity to request permission to lay another matter before the Assembly?

“I would ask the Assembly whether the League ought not now, according to Article 11 of the Covenant, to ‘take any action that may be deemed wise and effectual to safeguard the peace of Nations’ in the conflict which has caused the grave situation mentioned.

“I would therefore ask permission to move a resolution, if it should seem right to do so, requesting the Council to consider without delay what steps it can take, whether by the offer of its good offices to the belligerent parties or otherwise, with a view to the immediate cessation of hostilities.”

As already stated (*see* para. 70), the question of relief for the refugees was referred to the Fifth Committee. The Assembly referred to the Sixth Committee the consideration of the final paragraph of Dr. Nansen's letter. In that Committee Dr. Nansen proposed a Resolution to this effect:—

“The Assembly resolves to request the Council to consider what steps it would take on behalf of the League, whether by offering its good offices to the belligerent parties or otherwise, to secure the immediate cessation of hostilities in the Near East.”

An interesting discussion ensued. Dr. Nansen, in proposing his resolution, pointed out that it was the duty of the League to take action in accordance with Articles 3 and 11 of the Covenant, suggesting that the Council might invite the parties concerned to a conference to be held under the auspices of the League, and that it was essential for this purpose that the Government of Angora should be treated as on a footing of complete equality with the other parties, and that they should be invited, under the provisions of Article 17 of the Covenant, to accept the rights and duties of membership of the League for the purpose of settlement of the dispute. Dr. Nansen was warmly supported by Sir Joseph Cook (Australia). The

Persian delegate also said that he lent his support to the motion, in spite of the difficulty which arose from the fact that the League had not intervened before when the Greeks were victorious, and that consequently the Turks would naturally view with suspicion attempts at intervention at the present moment. Mr. Fisher expressed his gratitude to Dr. Nansen for raising the question and proposed for consideration a resolution in the following terms, which had the support of both the French and Italian representatives :--

"The Assembly views with dismay the possibility of prolongation of the war in the Near East. It notes with satisfaction the announcement of a conference at which the interested Powers will be represented, and it trusts that the Council will be prepared, as the occasion demands, to render any assistance which may be invited by the negotiating Powers towards the attainment of a prompt and durable peace."

Lord Robert Cecil strongly supported Dr. Nansen's original motion, and emphasised the difficulties already pointed out by the Persian delegate, and expressed the view that if there was to be any chance of the Turks accepting intervention by the League it was most important that it should not appear that the League was not acting on its own, but was only being called in at the request of one side of the interested parties. He desired, therefore, that any resolution that should be passed should make it plain that Turkey was to be admitted to the proceedings on a footing of equality; and that the reference to an invitation to the League by the negotiating Powers should be omitted. The Bulgarian delegate stated that his Government would be glad to see the sphere of the League of Nations enlarged, and that they hoped for the restoration of peace—if necessary with the assistance of the Council of the League, whose intervention could not cause anxiety to anyone. The French and Italian representatives were unable to agree to the proposals of Dr. Nansen and Lord Robert Cecil. Finally, a Drafting Committee was appointed with a view to finding a text which would be acceptable to all parties. The following resolution was eventually adopted unanimously by the Committee and without further debate by the Assembly :—

Assembly
Resolution
No. 22
(27 Sept.).

"The Assembly, animated by a sincere desire to see peace re-established in the Near East, and to support any action which may be taken to achieve that object, learns with satisfaction that it is proposed to hold a special conference to consider the present situation, with a view to finding a solution. The Assembly trusts that the Council, without interfering in any way with the proposed negotiations, will adopt such measures as it may deem timely and warrantable by the stage reached in the negotiations, in order to give effect to the unanimous wish of the Assembly for an early restoration of the peace."

81. The Persian delegate had proposed in the Assembly that the Council of the League should send a neutral Commission of Enquiry to examine the charges of atrocities alleged to have been committed during the present war in the Near East, with a view to throwing light on the occurrences and to avoid reprisals against the ethnical and religious minorities of Thrace and of Asia Minor. The Greek delegate pointed out that it was only due to the attitude of the Angora Government that an enquiry had not previously taken place, and stated that they were unable to permit any measures as regards protection of minorities in Thrace other than those laid down generally for the protection of minorities. Before the proposal of the Persian Delegation could be considered in Committee it was withdrawn by them, as they expressed themselves satisfied at the investigations which they understood were being made by the International Red Cross Society.

82. Certain other political questions were referred to the Sixth Committee. As the discussions on these questions, both in the Committee and in the Assembly, were either very brief or of no special interest it will suffice to give the text of the resolution finally adopted by the Assembly on each question :—

REQUEST OF THE LITHUANIAN GOVERNMENT TO INCLUDE A NEW QUESTION IN THE AGENDA OF THE ASSEMBLY.

The Third Assembly, being requested by the Lithuanian Government to include on its agenda a new question drafted as follows :—

Assembly
Resolution
No. 2
(15 Sept.).

"Protest against arbitrary actions of the Polish Government in connection with the territory of Vilna subsequent to the Council's recommendation of 13th January 1922 ;"

In view of the letter of the Polish Government raising the previous question ;

In view of the reply of the Lithuanian Government dated 6th September 1922 ;

Approves the report presented on behalf of the special Committee by M. Hymans, the delegate of Belgium ;

Decides, in consequence, that the previous question should be adopted as regards the Lithuanian complaint brought against the statute of Vilna, and the elections which the Polish Government proposed to hold in that district ;

Maintains on the agenda the new question so far as it concerns abusive treatment alleged to have been inflicted upon the Lithuanian population in the Vilna district ;

And, as it is not desirable that the discussion of the Lithuanian allegations should be raised at the Assembly before the competent Committee has had an opportunity of investigating them, refers the question, thus clearly defined, directly and without discussion, to the sixth Committee of the Assembly, which is responsible for the investigation of political questions.

COMPLAINTS BY THE LITHUANIAN GOVERNMENT RELATIVE TO THE TREATMENT OF THE NON-POLISH POPULATION IN THE TERRITORY OF VILNA.

"The Assembly of the League of Nations, with reference to its resolution of 15th September 1922 (No. 2 above), having heard the complaints of the Lithuanian Government relative to the treatment of the non-Polish population in the Vilna district, and having also heard the replies of the Polish delegate to these accusations; considering that the questions thus raised are among those with which the Council by its resolution of 13th January 1922—after having drawn up its final recommendation for the settlement of the Polish-Lithuanian dispute—reserved to itself the right to deal, if necessary, by requesting the two Governments to allow it to send representatives to the spot for the purpose of making a report; considering that the Council has already made use of the powers which it thus reserved to itself and that its intervention in this matter is in conformity with its general activities in regard to the protection of minorities, refers to the Council for its special consideration the question which has been submitted to the Assembly by the Lithuanian Government."

Assembly
Resolution
No. 8
(21 Sept.).

ARMENIA.

"The Assembly notes with gratitude the action taken by the Council with respect to Armenia, and recommends that, in the negotiations for a peace with Turkey, the necessity for providing a national home for the Armenians should not be overlooked, and requests the Council to take all steps which it may think useful to secure this result."

Assembly
Resolution
No. 12
(22 Sept.).

GEORGIA.

"The Assembly of the League of Nations, having considered the position of Georgia, invites the Council to follow attentively the course of events in this part of the world, so that it may be able to seize any opportunity which may occur to help in the restoration of this country to normal conditions by any peaceful means in accordance with the rules of international law."

Assembly
Resolutions
No. 13
(22 Sept.).

STATUS OF EASTERN GALICIA.

"The Assembly of the League of Nations renews its wish, expressed in the resolution adopted by the Second Assembly on 27th September 1921, that the Council of the League draw the attention of the Principal Allied and Associated Powers to the desirability of determining at an early date the status of Eastern Galicia."

Assembly
Resolutions
No. 14
(22 Sept.).

The above concludes the account of questions dealt with by Committees of the Assembly.

ELECTION OF NON-PERMANENT MEMBERS OF THE COUNCIL.

83. On the 30th September the elections were held for the six non-permanent members of the Council, under the rules already adopted by the Assembly. All these seats were filled as the result of the first ballot; the total number voting was 46, an absolute majority being accordingly 24. The six States elected were:—

Brazil, 42.	Uruguay, 40.	Sweden, 35.
Spain, 40.	Belgium, 36.	China, 27.

Uruguay and Sweden obtain seats for the first time.

AUSTRIA.

84. At the final sitting of the Assembly on the afternoon of 30th September, Lord Balfour made a statement in very general terms as to the progress made by the Council in dealing with the question of rehabilitating the finances of Austria, which had been under their consideration continuously throughout the period of the Assembly meetings. He was unable to announce to the Assembly, before it broke up final agreement as to the measures to be taken as had originally been anticipated, but indicated that it was hoped that a settlement might be reached in a few days, and he made it clear, on being questioned by Lord R. Cecil, that in any event the Council proposed eventually to make public all the documents and proposals relative to this question.

The Assembly proceedings concluded with a speech from the President.

CONCLUDING OBSERVATIONS.

85. The general impression left by a survey of the work of the Third Assembly is that the League is nearing the conclusion of the initial stage in which Assemblies have necessarily been very largely concerned with questions of the internal organisation and administration of the League and its dependent or associated bodies, and that it is gradually attaining greater freedom and strength to deal with the political problems and questions of international organisation for which it was created. It must, of course, continue to remain true that practical problems of the

highest importance can only be dealt with by the Council, and that the Assembly must necessarily be content, in the main, to approve or suggest certain lines of policy and to indicate promising spheres of action.

The future strength and prestige of the League cannot, of course, but be largely affected by the success or failure of the Council's efforts to solve the problem of helping Austria to attain financial and commercial stability.

The resolutions adopted by the Third Assembly on the subject of the Treaty of Mutual Guarantee and the possibility of reference to the League at some future date of the problem of reparations and inter-allied debts, tentative and general though they may be, mark a more important step in the history of the Assemblies of the League than has yet been seen.

86. The utility of the work done by the Assembly will depend, in the last resort, very largely on the representative character of the delegates. No progress can be made if Governments are unwilling to give effect to, or pay serious heed to, resolutions passed by the Assembly with the approval of their delegates. In the case of some States the tendency to disregard the resolutions of the League is only too marked. It is of the utmost importance for the future of the League that all States should send delegates who are fully qualified to represent the views of their Government and to whose advice the Government are likely to pay attention.

87. No decision taken by the Third Assembly was of very immediate or vital interest to India. As regards the opium question India was on this occasion free from ill-informed attack and can apparently now enjoy the position which she deserves as a loyal and scrupulous observer, in the letter and the spirit, of the provisions of the Hague Convention. The sphere of controversy regarding India's share in the burden of expenditure of the League was happily restricted within the domestic limits of the British Empire.

But though the League's activities seem in general to concern India only indirectly at the present time, we were deeply impressed with the advantages to be gained by the continued and adequate representation of India among the Delegations of the Assembly of the League, by participation in their deliberations, and by the opportunity for personal contact with representatives of the countries of the world among which India is entitled to occupy so important a position.

88. We desire to express our indebtedness to Mr. J. Campbell, I.C.S., Representative of India on the Opium Advisory Committee, for the valuable services which he rendered to the Delegation in all the spheres of our activity.

(Signed)

CHELMSFORD.

RANJIT SINHJI OF NAWANAGAR.

P. S. SIVASWAMY AIYER.

LONDON,
24th January 1923.

APPENDIX I.

List of States represented and their Delegates. (Many Delegations were also accompanied by Substitute Delegates other than those mentioned in this List, and numerous Expert Advisers.)

- **ALBANIA.**—M. Mehdi Frasheri (former Minister of Public Works, Member of Parliament). Dr. Benoit Blinishti (Director of the Permanent Secretariat accredited to the League of Nations).
- ARGENTINE.**—Not represented.
- AUSTRALIA.**—Sir Joseph Cook (High Commissioner in London). Sir Mark Sheldon, Kt. The Hon. G. E. Rich (Justice of the High Court of Australia).
Substitute.—Mrs. Margaret Dale.
Substitute and Legal Expert.—M. Harold Leslie Boyce, B.A., B.L.
- AUSTRIA.**—His Excellency M. Albert Mensdorff-Pouilly-Dietrichstein (former Ambassador). His Excellency M. Eméric Pflügl (Resident Minister). His Excellency Dr. Alfred Grünberger (Minister for Foreign Affairs).
- BELGIUM.**—His Excellency M. Paul Hymans (Minister of State). His Excellency M. Prosper Poullet (Member and former President of the House of Representatives). M. Louis de Brouckère.
Substitute.—M. Henri Rolin (Assistant Legal Adviser at the Ministry of Foreign Affairs).
- BOLIVIA.**—His Excellency Senor Alberto Gutier-Rez. M. Carlos Victor Aramayo.
- BRAZIL.**—His Excellency M. Domicio da Gama (Ambassador in London, Brazilian Representative on the Council of the League of Nations). His Excellency M. R. Regis de Oliveira (Ambassador in Mexico). His Excellency M. J. Raul de Rio-Branco (Minister Plenipotentiary at Berne).
- BRITISH EMPIRE.**—The Earl of Balfour, K.G., O.M. The Right Hon. H. A. L. Fisher, M.P. (Minister of Education). Lieut.-Col. John Ward, C.B., C.M.G., M.P.
Substitutes.—Sir Cecil Hurst, K.C.B., K.C. Mrs. W. M. Coombe Tennant.
- **BULGARIA.**—His Excellency M. Alexandre Stamboliisky (Prime Minister, Minister for Foreign Affairs). His Excellency M. Kosta Todoroff (Minister Plenipotentiary at Belgrade). His Excellency M. Siméon Radeff (former Minister Plenipotentiary).
Substitutes.—M. Pierre Neicoff (Consul-Général). M. Nicolas Mileff (Professor at the University of Sofia).
- **CANADA.**—The Hon. William Stevens Fielding, LL.D., D.C.L., M.P. (Minister of Finance). The Hon. Ernest Lapointe, B.A., LL.D., K.C., M.P. (Minister of Marine and Fisheries). The Hon. Peter Charles Larkin (High Commissioner in London).
- **CHILE.**—His Excellency M. Agustin Edwards (Envoy Extraordinary and Minister Plenipotentiary in Great Britain). His Excellency M. Manuel Rivas-Vicuna (Envoy Extraordinary and Minister Plenipotentiary at Berne and Vienna).
Expert.—M. Ricardo Schonmeyr (Honorary Counsellor).
- **CHINA.**—His Excellency M. Lou Tseng-tsiang (Envoy Extraordinary and Minister Plenipotentiary at Berne). His Excellency M. Tang Tsai-Fou (Envoy Extraordinary and Minister Plenipotentiary at Rome). His Excellency M. Hwang Yung-Liang (Envoy Extraordinary and Minister Plenipotentiary at Vienna).
Substitute.—M. Chao-Hsin Chu (Chargé d'Affaires in London).
- **COLOMBIA.**—His Excellency Dr. Francisco José Urrutia (Minister Plenipotentiary at Madrid and Berne).
Substitute.—M. A. M. Cespedes.
- **COSTA RICA.**—His Excellency M. Manuel de Peralta (Envoy Extraordinary and Minister Plenipotentiary at Paris).
- **CUBA.**—His Excellency M. Cosme de la Torriente y Peraza (Member of the Hague Arbitral Tribunal President of the Commission for Foreign Affairs of the Senate). His Excellency Dr. Aristides de Agüero y Bethancourt (Envoy Extraordinary and Minister Plenipotentiary at Berlin). His Excellency M. Guillermo de Blanck y Menocal (Envoy Extraordinary and Minister Plenipotentiary at Berne and The Hague).
Substitute and Secretary-General.—His Excellency M. Miguel Angel Campa y Caraveda (Envoy Extraordinary and Minister Plenipotentiary at Tokio).
- **CZECHO-SLOVAKIA.**—Dr. Edouard Benes (Prime Minister, Minister of Foreign Affairs). Dr. Stephen Osusky (Envoy Extraordinary and Minister Plenipotentiary at Paris). Dr. Robert Flieder (Envoy Extraordinary and Minister Plenipotentiary at Berne).
Substitutes.—M. Jan Dvoráček (Minister Plenipotentiary). Dr. Vilém Pospisil (General Director of the Prague Savings Bank).
- DENMARK.**—His Excellency M. Herluf Zahle (Envoy Extraordinary and Minister Plenipotentiary at Stockholm). M. Laüst Moltesen (Doctor of Philosophy, Member of Parliament). M. P. Munch (Doctor of Philosophy, Member of Parliament).

ESTHONIA.—His Excellency M. Antoine Piip (Minister for Foreign Affairs). General Johan Laidoner (Member of the Chamber of Deputies, President of the Committee for Foreign Affairs and National Defence). His Excellency M. Charles Pusta (Minister Plenipotentiary at Paris and Rome).

Substitutes.—M. Alexandre Hellat (Minister at Warsaw). M. Ado Anderkopp (Member of the Chamber of Deputies).

FINLAND.—His Excellency M. Rafael Woldemar Erich (Envoy Extraordinary on special work for the Ministry for Foreign Affairs, Member of the Chamber of Deputies). His Excellency M. Eino Rudolf Woldemar Holsti (Member of the Chamber of Deputies). M. Kaarle Väinö Voionmaa (Professor at the University of Helsingfors, Member of the Chamber of Deputies).

Substitute.—M. Georges Achates Gripenberg (Chargé d'Affaires at The Hague).

FRANCE.—His Excellency M. Léon Bourgeois (President of the Senate, French Representative on the Council of the League of Nations). (M. Georges Noblemaire (Member of the Chamber of Deputies) (*Substitute*.) His Excellency M. René Viviani (Member of the Chamber of Deputies). (M. Henry de Jouvenel (Senator) (*Substitute*.) His Excellency M. Gabriel Hanotaux (Member of the French Academy). (M. Georges Marie Reynald (Senator) (*Substitute*.)

Substitute.—M. Joseph Barthelemy (Member of the Chamber of Deputies).

GREECE.—His Excellency M. Georges Streit (former Minister for Foreign Affairs, Member of the Hague Arbitral Tribunal, Professor of International Law, Vice-President of the Greek League of Nations Office). His Excellency M. Nicolas Xydakis (Envoy Extraordinary and Minister Plenipotentiary at Stockholm). His Excellency M. Antoine F. Frangulis (Resident Minister).

Substitutes.—M. Joseph Mallah (Member of the National Assembly). M. de Castorkis (Fellow and Professor of Penal Law at the University of Athens).

GUATEMALA.—Dr. A. Figueroa (Chargé d'Affaires at Paris).

HAITI.—His Excellency M. Louis Dantes Bellegarde (Envoy Extraordinary and Minister Plenipotentiary at Paris).

HONDURAS.—Not represented.

HUNGARY.—His Excellency Count Banffy (Minister for Foreign Affairs).

INDIA.—The Right Hon. Viscount Chelmsford, G.C.S.I., G.C.M.G., G.C.I.E., G.B.E. His Highness the Maharaja Jam Saheb of Nawanagar, K.C.S.I., G.B.E. Sir P. S. Sivaswamy Aiyer, K.C.S.I., C.I.E.

ITALY.—His Excellency M. Vittorio Scialoja (Professor of Law at the Royal University of Rome, Senator). His Excellency the Marquis Guglielmo Imperiali dei Principi di Francavilla (Senator, Ambassador, Italian Representative on the Council of the League of Nations). His Excellency Count Fulco Tosti, Principi di Valminuta (Under Secretary of State for Foreign Affairs).

Substitutes.—M. Maggiorino Ferraris (Senator). M. Stefano Cavazzoni (Member of the Chamber of Deputies). Don Gelasio Gaetani dei Duchi di Sermoneta (Member of the Chamber of Deputies).

JAPAN.—His Excellency the Baron Gonsuke Hayashi (Ambassador to Great Britain). His Excellency Viscount Ishii (Ambassador to the French Republic). His Excellency M. Minéitcirô Adatci (Ambassador to Belgium).

Substitutes.—His Excellency M. Kumatara Honda (Minister at Vienna). His Excellency M. Michikaza Matsuda (Minister Plenipotentiary, Counsellor of Embassy).

LATVIA.—His Excellency M. G. Albat (Under Secretary of State for Foreign Affairs). Dr. Walters (Envoy Extraordinary and Minister Plenipotentiary at Rome). M. O. Grosvald (Envoy Extraordinary and Minister Plenipotentiary at Paris).

Substitute.—M. V. Schumans (Head of the Political and Economic Sections at the Ministry for Foreign Affairs).

LIBERIA.—Baron Rodolphe Auguste Lehman (Chargé d'Affaires at Paris).

Substitute.—M. Nicolas Ooms (Secretary of Legation).

LITHUANIA.—M. Vencelas Sidzikauskas (Chargé d'Affaires at Berne). M. T. Narusevicius (Chargé d'Affaires in London). M. Jonynas (Director at the Ministry for Foreign Affairs).

LUXEMBURG.—M. Antoine Lefort (Councillor of State).

NETHERLANDS.—His Excellency the Jonkheer J. Loudon (Envoy Extraordinary and Minister Plenipotentiary at Paris). Professor A. H. Struycken (Doctor of Law and Political Science, Member of the Council of State, Member of the Permanent Court of Arbitration at The Hague). Professor W. J. M. van Eysinga (Doctor of Law and Political Science, Professor at the University of Leyden).

NEW ZEALAND.—Col. the Hon. Sir James Allen, K.C.B. (High Commissioner in London). The Hon. Sir Francis Bell, K.C.M.G., K.C. (Attorney-General of New Zealand). The Right Hon. Sir Arthur Steel-Maitland, Bart., M.P.).

NORWAY.—Dr. Nansen (Professor at the University at Christiania). His Excellency M. Otto Albert Blehr (Prime Minister). His Excellency M. Christian Fredrik Michelet (Barrister, former Minister for Foreign Affairs).

Substitutes.—Dr. Christian L. Lange (Secretary-General of the Inter-Parliamentary Union). Dr. Mikael H. Lie (Professor at the University of Christiania). Mlle. Kristine Elisabeth Bonnevie (Doctor and Professor at the University of Christiania).

PANAMA.—His Excellency M. Antonio Burgos (Envoy Extraordinary and Minister Plenipotentiary at Rome and Berne). Doctor the Hon. Raoul A. Amador (Chargé d'Affaires at Paris).

PARAGUAY.—His Excellency Dr. Hector Velázquez (Envoy Extraordinary and Minister Plenipotentiary at Rome).

PERSIA.—His Highness Prince Mirza Riza Khan Arfa-ed-Dowleh (Ambassador, former Minister of Justice). His Excellency Emir Zoka-ed-Dowleh (Envoy Extraordinary and Minister Plenipotentiary at Berne).

PERU.—Not represented.

POLAND.—His Excellency Professor Szymon Askenazy (Envoy Extraordinary and Minister Plenipotentiary, Permanent Delegate to the League of Nations). His Excellency Dr. Witold Chodzko (Minister of Public Health). His Excellency M. Léon Plucinski (Envoy Extraordinary and Minister Plenipotentiary, General Commissioner of the Polish Government at Danzig).

Substitutes.—His Excellency Jean de Modzelewski (Envoy Extraordinary and Minister Plenipotentiary at Berne). M. François Sokal (Polish Delegate on the Governing Body of the International Labour Office).

PORTUGAL.—His Excellency M. Teixeira Gomes (Envoy Extraordinary and Minister Plenipotentiary in London). His Excellency M. Joao Chagas (Envoy Extraordinary and Minister Plenipotentiary at Paris). M. Ernesto de Vasconcellos.

Substitute.—His Excellency M. Antonio Maria Bartholomeu Ferreira (Minister of Berne).

ROUMANIA.—His Excellency M. C. Dissesco (Senator, former Minister of State, Professor at the University of Bucharest). His Excellency M. Manolesco-Romniceano (former Senior President of the Supreme Court of Appeal).

Substitutes.—Mlle. Hélène Vacaresco. Professor S. Puscario (former Principal of the University of Cluj).

SALVADOR.—Not represented.

SERB-CROAT-SLOVENE STATE.—His Excellency Dr. Monitchilo Nintchitch (Minister for Foreign Affairs). His Excellency Dr. Miloutine Yovanovitch (Minister at Berne). His Excellency Michel Gavrilovitch (Minister at London).

Substitutes.—Dr. Milorad Straznicky (Professor at the University of Zagreb). M. Ranislav Avramovitch (Under Secretary of State at the Ministry of Transport). M. Vassilié Yovanovitch.

SIAM.—His Highness Prince Charoon (Minister at Paris). His Excellency Phya Bibadh Kosha (Minister at Rome). M. Phya Rajawangsan (Captain in the Royal Siamese Navy).

SOUTH AFRICA.—The Hon. Sir Edgar Harris Walton, K.C.M.G. (High Commissioner in London). The Right Hon. Lord Robert Cecil, K.C., M.P. Professor Gilbert Murray, M.A., LL.D.

Substitute and Expert.—Sir Henry Strakosch.

SPAIN.—His Excellency Count de Gimeno (Senator). His Excellency M. José Quiñones de León (Ambassador at Paris, Spanish Representative on the Council of the League of Nations). His Excellency M. Emilio de Palacios (Under Secretary of State for Foreign Affairs).

SWEDEN.—His Excellency M. Hjalmar Branting (Prime Minister, Minister for Foreign Affairs). M. Ernst Trygger (Doctor of Law, Judge of the Supreme Court, Member of the First Chamber of the Riksdag). M. Jonas Eliel Lofgren (former Minister, Member of the First Chamber of the Riksdag).

Substitutes.—Baron Sten Gustaf Fredrik Troil Ramel (Envoy Extraordinary and Minister Plenipotentiary at Christiania). Madame Anna Bugge Wicksell (Master of Law, Secretary of the Royal Swedish Committee dealing with League of Nations questions). Professor Oesten Unden (former Minister, Professor at the University of Upsala).

SWITZERLAND.—His Excellency M. Giuseppe Motta (Head of the Federal Political Department, Federal Councillor). His Excellency M. Gustave Ador (former Federal Councillor, President of the International Red Cross Committee). M. Paul Usteri (Member of the Council of States).

Substitute.—M. Robert Forrer (Doctor of Law, National Councillor).

URUGUAY.—His Excellency M. Juan Carlos Blanco (Minister at Paris). M. Antonio Bachini (Deputy, President of the Committee on International Affairs, former Minister for Foreign Affairs). M. Benjamin Fernandez Medina (Envoy Extraordinary and Minister Plenipotentiary at Madrid).

VENEZUELA.—His Excellency Dr. José Gil Fortoul (Envoy Extraordinary and Minister Plenipotentiary at Paris and Berne). His Excellency M. César Zameta (Inspector of Consulates, Special Commissioner for the study of the commercial situation and of the state of navigation in different countries). Dr. José Antonio Tagliaferro (Senator, Member of the Venezuelan Section of the Inter-American Commission).

Substitute.—M. Manuel Arocha (Consul at Geneva).

STATES NOT MEMBERS OF THE LEAGUE.

ARMENIA.—M. Gabriel Noradounghian. M. Mikaël Vapadtanian.

GEORGIA.—M. Khariton Chavichvili.

APPENDIX II.

Reports of Committees of the Assembly, and other connected Documents.

ANNEX I.—Rules of Procedure of the Assembly (as amended by the Second and Third Assemblies).

Rule 1.—(1) The Assembly shall meet in General Session every year, at the seat of the League of Nations, commencing on the first Monday in September.

(2) Sessions may also be held at such times as the Assembly at a previous meeting decides, and at such times as the Council, by a majority vote, decides.

(3) If a Member of the League considers a Session to be desirable, it may request the Secretary-General to summon a Special Session of the Assembly. The Secretary-General shall thereupon inform the other Members of the League of the request, and enquire whether they concur in it. If within a period of one month from the date of the communication of the Secretary-General a majority of the members concur in the request, a special Session of the Assembly shall be summoned.

Rule 2.—The Sessions of the Assembly shall be held at the seat of the League, or, in exceptional circumstances, at such other place as is designated by the Assembly or by a majority of the Council, or, approved by a majority of the Members of the League.

Rule 3.—(1) The Sessions of the Assembly shall be summoned by the President of the Council, acting through the Secretary-General.

(2) The summons shall be addressed to the Members of the League not less than four months before the date fixed for the opening of the Session. In exceptional circumstances, however, the Council, by a majority vote, may sanction a shorter period.

(3) Nothing contained in para. (2) of this Rule shall affect the provisions, concerning special cases, contained in the Covenant.

Rule 4.—(1) The agenda shall be drawn up by the Secretary-General with the approval of the President of the Council. The complete agenda shall be circulated as nearly as possible four months before the date fixed for the opening of the session.

(2) The agenda of a general session shall include:—

(a) A report on the work of the Council since the last session, on the work of the Secretariat, and on the measures taken to execute the decisions of the Assembly.

(b) All items whose inclusion has been ordered by the Assembly, at a previous Session;

(c) All items proposed by the Council;

(d) All items proposed by a Member of the League; and

(e) The Budget for the next fiscal period, and the report on the accounts of the last fiscal period.

(3) Any Member of the League may, at least one month before the date fixed for the opening of the Session, request the inclusion of additional items in the agenda. Such items shall be placed on a supplementary list, which shall be circulated to the Members of the League at least three weeks before the date fixed for the opening of the Session. The Assembly shall decide whether items on the supplementary list shall be included in the agenda of the Session.

(4) The Assembly may, in exceptional circumstances, place additional items on the agenda; but all consideration of such items shall, unless otherwise ordered by a two-thirds majority of the Assembly, be postponed until four days after they have been placed on the agenda, and until a committee has reported upon them.

(5) No proposal for a modification of the allocation of expenses for the time being in force shall be inserted in the agenda unless it has been communicated to the Members of the League at least four months before the date fixed for the opening of the Session.

Rule 5.—(1) Each Member shall communicate to the Secretary-General, if possible before the date fixed for the opening of the Session, the names of its Representatives, of whom there shall be not more than three. The names of Substitute-Representatives may be added.

(2) Each Representative shall, as soon as possible, and preferably before the opening of the Session, present his credentials to the Secretary-General.

(3) A committee of eight members for the examination of the credentials shall be elected by the Assembly by secret ballot. The committee shall report without delay.

(4) Any representative to whose admission objection has been made shall sit provisionally with the same rights as other Representatives, unless the Assembly decides otherwise.

Rule 6.—(1) In addition to the Substitute-Representatives mentioned in para. (1) of Rule 5, the Representatives of a Member of the League attending the Assembly, acting together as a Delegation, may appoint substitutes. Any such appointment shall be communicated in writing to the President.

(2) A Substitute-Representative appointed by a Member of the League may take the place of a Representative without nomination by the Representatives.

(3) A Substitute-Representative or substitute may take the place of a Representative who is absent from a meeting of the Assembly, or is temporarily prevented from taking part in its deliberations, but if the Representative is present at the meeting the Substitute-Representative or substitute is only entitled to assist him.

(4) A Delegation may appoint for service on a committee a deputy or technical adviser other than those referred to in the above paragraphs of this Rule; but a deputy or adviser so appointed shall not be eligible for appointment as Chairman or *Rapporteur*, or for a seat in the Assembly.

Rule 7.—(1) The officers of the Assembly shall consist of a President and of six Vice-Presidents, together with the Chairmen of the main Committees of the Assembly, who shall be *ex-officio* Vice-Presidents of the Assembly. These officers shall form the General Committee.

(2)* The President shall be elected at the beginning of each session.

(3) Until the election of the President, the President of the Council shall act as President of the Assembly.

(4) The election of the Vice-Presidents shall take place at one of the early meetings of the session.

Rule 8.—(1) The President shall announce the opening, suspension and adjournment of the meetings of the Assembly, direct the work of the Assembly, ensure the observance of the Rules of Procedure, accord the right to address the Assembly, declare the debates to be closed, put questions to the vote, and announce the result of the voting.

(2) In the general direction of the work of the Assembly, in the constitution of such committees as the Assembly decides to create, in deciding on the communications to be made to the Assembly, in the framing of the agenda for each meeting, and in the determination of the order of priority for its various items, the President shall be assisted by the General Committee.

Rule 9.—(1) The Secretary-General shall be responsible for the organisation of the Secretariat of the Assembly and of the Secretariat of any committees set up by the Assembly.

(2) The Secretary-General may be assisted or replaced at the meetings of the Assembly by a deputy or deputies. The Secretary-General, or one of his deputies, may at any time, on the invitation of the President, bring before the Assembly reports concerning any question which is being considered by the Assembly, and may be invited by the President to make verbal communications concerning any question under consideration.

Rule 10.—(1) It shall be the duty of the Secretariat, *inter alia*, to receive, print, circulate and translate documents, reports and resolutions; to translate speeches made at the meetings; to draft, print and circulate the Minutes of the Session; to have the custody and proper preservation of the documents in the archives of the Assembly; to publish the reports of the meetings; and, generally, to perform all other work which the Assembly thinks fit to entrust to it.

(2) All documents emanating from the Assembly shall be circulated to the Governments of the Members of the League.

Rule 11.—(1) The public shall be admitted to the plenary meetings of the Assembly by cards distributed by the Secretary-General.

(2) The Assembly may decide that particular meetings shall be private.

(3) All decisions of the Assembly upon items on the agenda, which have been taken at a private meeting, shall be announced at a public meeting of the Assembly.

Rule 12.—A list of the attendance at each meeting of the Assembly shall be kept by the Secretariat.

Rule 13.—At the beginning of each meeting the President shall present to the Assembly all communications addressed to the Assembly or to the League, the importance of which appears to him to warrant such action.

Rule 14.—(1) The Assembly shall establish such committees as it thinks fit, for the consideration of the items on the agenda. Items of the same nature will be referred to the same committee.

(2) The Assembly shall not decide items on the agenda in full meeting until the report of a committee upon them has been presented and circulated, unless the Assembly itself, by a two-thirds majority, determines otherwise.

Reports by a Committee involving the expenditure of money must indicate whether the expenditure will constitute part of the general expenses of the League or whether it will be recovered from the Members of the League particularly concerned.

Reports by a Committee other than the Finance Committee recommending action which will involve the expenditure of money shall be accompanied by as close an estimate as time and circumstances allow of the amount of the expenditure involved. This estimate shall, before the matter is brought before the Assembly, be submitted to the Fourth Committee in order that it may be checked by that Committee.

No resolution involving expenditure shall in any case be voted by the Assembly before the Finance Committee shall have expressed its opinion on the advisability of the proposed expenditure from the point of view of general budgetary resources.

(3) Each Delegation may designate one member, and may nominate technical advisers for each committee.

(4) Each committee shall appoint its Chairman and *Rapporteur*.

(5) Each committee may appoint sub-committees, which shall elect their own officers.

(6) Each committee shall meet in private unless it decides otherwise. It shall keep a Register of its discussions, and Minutes, which shall be published at the earliest possible date, but not until they have been approved by the committee. They may at any time be consulted by any Member of the Assembly.

(7) Every representative shall have the right to place before any committee any communication which he considers should be made to it, but no representative may, without special leave from the Chairman, speak at a meeting of any committee of which he is not a member.

(8) The Secretary-General or his deputies may make to any committee or sub-committee any report or verbal communication which he or they may consider desirable.

Rule 15.*—(1) No representative may address the Assembly without having previously obtained the permission of the President.

(2) Speakers shall be called upon in the order in which they have signified their desire to speak. The Chairman and the *Rapporteur* of a committee may be accorded precedence for the purpose of defending or explaining the conclusions arrived at by their committee. The same principle shall apply to any Member of the Council.

* (1) The right to speak at the Assembly before any other speakers shall be accorded to a representative of a State Member of the Council.

(2) This right is only conferred in cases where the delegate wishes to speak for the purpose of defending or explaining to the Assembly the views, decisions or actions of the Council which are under discussion (Conclusions of General Committee, *Journal of the Third Assembly*, No. 14, 19th September 1922).

(3) The President may call a speaker to order if his remarks are not relevant to the subject under discussion. If necessary, he may direct the speaker to resume his seat.

(4) When a motion is under discussion, a representative may rise to a point of order, and such point of order shall be immediately decided by the President in accordance with the Rules of Procedure.

(5) The Assembly may limit the time allowed to each speaker.

Rule 16.—(1) Speeches in French shall be summarised in English, and *vice versa*, by an interpreter belonging to the Secretariat.

(2) A Representative speaking in another language shall provide for the translation of his speech into one of these two languages.

(3) All documents, resolutions and reports circulated by the President or the Secretariat shall be rendered in both French and English.

(4) Any Representative may have documents circulated in a language other than French or English, but the Secretariat will not be responsible for their translation or printing.

(5) Any Member of the League, or any group of Members, may require that all documents and publications of the League shall be regularly translated into, and printed and circulated in, a language other than French and English, but shall in such case defray all the necessary expenses.

Rule 17.—(1) Resolutions, amendments and motions must be introduced in writing and handed to the President. The President shall cause copies to be distributed to the Representatives.

(2) As a general rule, no proposal shall be discussed or put to the vote at any meeting of the Assembly unless copies of it have been circulated to all Representatives not later than the day preceding the meeting.

(3) The President may, however, permit the discussion and consideration of amendments, or of motions as to procedure, without previous circulation of copies.

Rule 18.—(1) During the discussion of any question, any Representative may move the previous question or the adjournment. Any such motion shall have priority in the debate. In addition to the proposer of the motion, two Representatives may speak in favour of, and two against, the motion.

(2) Parts of a proposal shall be voted on separately, if a Representative requests that the proposal be divided.

(3) A Representative may at any time move the closure of the debate, whether any other Representative has signified his wish to speak or not. If application is made for permission to speak against the closure, it may be accorded to not more than two speakers.

(4) The President shall take the sense of the Assembly on a motion for closure. If the Assembly decides in favour of the closure, the President shall declare the closure of the debate.

(5) When a number of proposals are before the Assembly, the proposal furthest removed in substance from the principal one shall be voted on first.

(6) If an amendment striking out part of a proposal is moved, the Assembly shall first vote on whether the words in question shall stand part of the proposal. If the decision is in the negative, the amendment shall then be put to the vote.

(7) When an amendment adds to a proposal it shall be voted on first, and if it is adopted the amended proposal shall then be voted on.

Rule 19.—(1) Except where otherwise expressly provided in the Covenant or by the terms of a treaty, decisions of the Assembly shall be taken by an unanimous vote of the Members of the League represented at the meeting.

(2) All matters of procedure at a meeting of the Assembly, including the appointment of committees to investigate particular matters, shall be decided by a majority of the Members of the League represented at the meeting.

(3) All decisions taken in virtue of these Rules shall be considered as matters of procedure.

(4) A majority decision requires the affirmative votes of more than half of the Members of the League represented at the meeting.

(5) For the purposes of this Rule, representatives who abstain from voting shall be considered as not present.

Rule 20.—The Assembly shall vote by "Appel Nominal," except when the Members of the League represented at the meeting agree that the method of voting shall be by heads of Delegations rising in their seats, and except in the cases provided for in Rule 21. The "Appel Nominal" shall be taken in one of the following manners as the Assembly may decide:—

(a) The name of each Delegation shall be called, and one of its Members shall reply "Yes," "No," or "Not Voting." The result of the vote shall be recorded and announced to the Assembly; or

(b) The Delegation of each Member of the League represented at the meeting shall be provided with two voting tickets, on which the name of the country is written, one red and one blue, the former being "Aye," the latter "No." The voting tickets shall be deposited in an urn placed near the President's platform. When all the votes have been collected, the President shall declare the ballot closed, and the General Committee shall proceed to count the votes. The individual votes shall be communicated to the Assembly and the result shall be announced by the President.

Rule 21.—(1) All decisions relating to individuals shall be taken by a secret ballot.

(2) If, when one person only is to be elected, no one person obtains at the first ballot an absolute majority of votes, an entirely new ballot shall be taken; but on this occasion the voting shall be confined to the two candidates who obtained the largest number of votes at the first ballot. If there is at this ballot an equality of votes for the two candidates, the elder candidate shall be declared elected.

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

Rule 22.—In case of equality in any voting other than that referred to in Rule 21, in which a majority is required, a second vote shall be taken in the course of the next meeting; this meeting shall be held within 48 hours from the date on which the first vote was taken, and it shall be expressly mentioned on the agenda that a second vote will be taken on the matter in question. Unless there is at this subsequent meeting a majority in favour of the proposal, it shall be considered as lost.

Rule 23.—(1) The President may declare a meeting to be adjourned or suspended, if a proposal for adjournment or suspension made by him does not meet with objection from the Assembly.

(2) The President shall declare an adjournment or suspension of the meeting upon a vote to this effect by the Assembly.

Rule 24.—The General Committee, in cases where it deems it necessary, may revise the resolutions adopted by the Assembly, changing their form but not their substance. Any such changes shall be reported to the Assembly.

Rule 25.—The verbatim report of each meeting shall be drawn up by the Secretariat and submitted to the Assembly after approval by the President.

Rule 26.—The resolutions adopted by the Assembly shall be circulated by the Secretary-General to the Members of the League within 15 days after the termination of the Session.

Rule 27.—These Rules of Procedure shall apply to the proceedings of committees of the Assembly.

Rule 28.—These Rules of Procedure may be altered by a decision of the Assembly; but no such alteration shall be made except upon a majority vote of the Assembly, taken after a committee has reported on the proposed alteration.

ANNEX II.—Regulations for the Financial Administration of the League of Nations.

DEFINITIONS.

In these Regulations:—

The "League" includes the Secretariat and all autonomous and non-autonomous organisations.

"Assembly" means the Assembly of the League of Nations.

"Council" means the Council of the League of Nations.

"Autonomous organisations" include the International Labour Organisation, the Permanent Court of International Justice, and any autonomous organisation hereafter created by the Assembly.

The word autonomous has reference solely to the separation of the financial administration of such organisations from that of the Secretariat and does not imply any wider consequences.

"Competent authority" means (a) in the case of the Secretariat and non-autonomous organisations, the Council, (b) in the case of the International Labour Organisation, the Governing Body of the Labour Office, and (c) in the case of the Permanent Court of International Justice, the Court.

"Competent official" means (a) in the case of the Secretariat and non-autonomous organisations, the Secretary-General, (b) in the case of the International Labour Organisation, the Director of the Labour Office, and (c) in the case of the Permanent Court of International Justice, the Registrar of the Court; or the duly authorised deputies of these officials.

"Non-autonomous organisations" include all organisations of the League (other than the autonomous organisations) which do not form part of the general services of the Secretariat.

"Commission" means the Supervisory Commission.

"Rapporteur" means the Rapporteur of the Commission.

CHAPTER I.

THE SUPERVISORY COMMISSION.

Article 1.—(1) There shall be a Supervisory Commission to perform the duties assigned to it by these Regulations, and to deal with any other special matters referred to it by the Assembly or the Council.

(2) The Commission shall be composed of five members, of whom one at least shall be a financial expert. The members shall be appointed by the Council, which, in selecting members, shall include among them persons belonging to countries, Members of the League, which are not represented on the Council.

(3) The term of office of members of the Commission shall be three years corresponding to three financial years of the League, and retiring members shall be eligible for reappointment, but—

(a) the whole Commission shall not be renewed simultaneously; and, in order to establish a system of partial annual renewal, the members who were in office before the adoption of these Regulations shall retire as follows: at the end of each of the years 1923 and 1924 two members, and at the end of 1925 the remaining member, the order of retirement being determined by lot;

(b) any vacancy caused by the death or resignation of a member before the end of his term of office shall be filled by appointing a member to hold office until the end of the term of office of the member deceased or resigning.

Article 2.—(1) The Commission shall appoint from its members a Chairman, a Vice-Chairman and a Rapporteur for each financial year. They shall be eligible for reappointment.

(2) The Rapporteur shall be generally responsible for the preparation of the work of the Commission before its plenary meetings. He shall ascertain that the decisions taken by the Commission at its meetings are carried out, and shall execute all duties placed upon him by these Regulations or by the Commission.

Article 3.—(1) The Commission shall hold its sessions in Geneva. Suitable office accommodation, as required, shall be provided by the Secretary-General for the Commission and the Rapporteur.

(2) The Secretary-General shall place the necessary clerical assistance at the disposal of the Commission and the Rapporteur. An official of the Secretariat, who shall be assisted by an official of the International Labour Office, shall act as Secretary of the Commission.

Article 4.—(1) An auditor, who shall be a person in no way in the service of any of the organisations of the League, shall be appointed by the Council on the proposal of the Commission.

(2) The auditor shall be appointed for a period of five years, and shall not be removable except by the Council and on the proposal of the Commission, with reasons stated.

(3) During his presence at the seat of any League organisation for the purposes of an audit, the auditor shall receive subsistence allowance and such other allowances as the Commission may determine, and his necessary travelling expenses shall be refunded on production of a duly certified statement.

Article 5.—(1) The competent officials shall, on their request, be heard by the Commission, whenever it is in session, and shall appear before the Commission at its request. Other officials shall appear before and give information to the Commission on a request to that effect being addressed by the Commission to the competent officials.

(2) While the Commission is not in session, the *Rapporteur*, if present at the seat of the League or of one of its organisations for the discharge of his duties, shall be entitled to obtain information from officials in accordance with the preceding paragraph. The *Rapporteur* shall submit to the Chairman of the Commission any question which the competent officials request him so to submit.

(3) The Commission shall supply the Council with any information relating to its work which the Council may require.

CHAPTER II.

FINANCIAL ADMINISTRATION OF LEAGUE ORGANISATIONS.

Article 6.—All organisations of the League, including all autonomous organisations, shall comply with these Regulations, and with every decision of the Assembly governing financial and budgetary administration.

Article 7.—(1) The financial administration of autonomous organisations shall be independent of the financial administration of the Secretariat, subject always to the provisions of these Regulations.

(2) The financial administration of the non-autonomous organisations shall be an integral part of the financial administration of the Secretariat.

(3) The Secretary-General, acting in consultation with the Advisory Committee of the organisation (if any), shall be responsible for estimating the financial requirements of the non-autonomous organisations, and for submitting such estimates. He shall likewise be responsible for the expenditure of all funds voted for these organisations, and for the appropriation of such expenditure to the proper items of the Budget.

(4) In the case of an autonomous organisation, the responsibilities dealt with in para. (3) shall rest upon the competent official or competent authority.

CHAPTER III.

DRAWING UP THE BUDGET.

Article 8.—The financial year of the League shall be the calendar year.

Article 9.—(1) For every financial year estimates shall be made of the expenditure to be incurred by the League.

(2) The estimates shall be divided into separate *parts*: (a) for the Secretariat, (b) for each autonomous organisation, and (c) for the Working Capital Fund, when it is necessary to ask for contributions to this fund, in accordance with the model shown in the annex.

(3) Each *part* (except that relating to the Working Capital Fund) shall be divided into two *Sections*, one for ordinary expenditure and the other for capital expenditure.

(4) The *Sections* referred to in para. (3) shall be subdivided into *Chapters* corresponding to the various services or categories of expenditure. The different organisations shall aim at uniformity of arrangement.

Article 10.—(1) There shall be included in the part of the Budget dealing with the expenses of the Secretariat the cost of sessions of the Council and the Assembly, the cost of all non-autonomous organisations, and any expenses of a bureau or commission which the Council may decide so to include in the expenses of the Secretariat in accordance with Article 24 of the Covenant.

(2) There shall be separate *Chapters* for each of these categories of expenditure and for the general expenses of the Secretariat.

Article 11.—The general Budget of the League shall be preceded by a summary of the estimated income and expenditure for all the organisations covered by the Budget. This statement shall set out the amount required to cover—

- (a) ordinary expenditure,
- (b) capital expenditure,
- (c) contributions, when necessary, to the Working Capital Fund.

Article 12.—(1) Each Part of the Budget, as defined in Article 9, shall consist of—

- (a) A summary of *Chapters*.
- (b) A full statement of items, showing for each, in addition to the sum asked for, the sum voted for the current year, and the sum voted for and the amount actually expended in the preceding year.
- (c) Wherever possible, detailed schedules and explanatory statements. The schedules shall be subdivided in accordance with the principles of Article 9.

(2) Important differences in the amounts estimated during successive years for the same items shall be fully explained by means of notes.

Article 13.—A list showing the names of the officials of the Secretariat and of other organisations, and setting out their nationalities, duties, salaries, and entertainment and house allowances (if any), shall be confidentially circulated to the Members of the League at the same time as the Budget, and to the Assembly at its regular annual session.

Article 14.—Modifications proposed in the estimates after the Budget has been circulated to the Members of the League shall, as far as possible, be included in one document; if necessary, a revised Budget shall be substituted for the original Budget. A supplementary Budget may be submitted to the Assembly by its Finance Committee.

CHAPTER IV.

ADOPTION OF THE BUDGET.

Article 15.—(1) The Secretary-General shall arrange for the Budget and the Annexes, as described in the preceding chapter, together with a general introduction, to be submitted to the Commission before the 1st May of each year.

(2) In order to enable the Secretary-General to comply with the provisions of para. (1), the competent officials of the autonomous organisations shall supply the Secretary-General with the data required on or before a date to be fixed by the Secretary-General in agreement with the officials concerned.

Article 16.—(1) The Commission shall annually examine the Budget and prepare a report thereon in time for both documents to be despatched to the Council and the Members of the League three months before the regular annual session of the Assembly.

(2) The observations of the Council upon the Budget and upon the report of the Commission shall be despatched to the Members of the League in time for them to be received at least one month before the regular annual session of the Assembly.

(3) When the Commission is considering their respective Budgets, the autonomous organisations shall be represented before the Commission in such manner as they may decide and the Commission approve. A non-autonomous organisation shall be represented by the Secretary-General, assisted by one of the officials especially responsible for its work, and, if so requested, by a member of the Advisory Committee.

(4) The Commission may not amend the Budget, as presented to it, but may propose modifications. The Commission will discuss such modifications (if any) with the competent official or authority, and report its conclusions to the Council and the Assembly.

Article 17.—(1) The Assembly shall not consider the Budget in plenary session until its Finance Committee has considered the Budget and the report of the Commission, and has presented its report.

(2) The Assembly may in plenary session make any amendments in the Budget which it may consider desirable. The consideration and the adoption of the Budget by the Assembly shall be governed by the rules made by the Assembly in that respect in exercise of the powers vested in it by the Covenant.

Article 18.—(1) When the Assembly or its Finance Committee discusses the budget of any autonomous organisation, such organisation may delegate one representative to assist at the meetings of the Assembly and as many representatives as the Finance Committee may approve to assist at the meetings of the Finance Committee. Such representative or representatives may be heard, but shall not address the meeting except on the invitation of the President.

(2) The Advisory Committee of a non-autonomous organisation may, in like manner, send a representative to attend at meetings of the Finance Committee of the Assembly at which its budget is discussed.

Article 19.—(1) Modifications in the Part of the Budget dealing with the Secretariat proposed by the Secretary-General before the opening of the Assembly, shall, as far as possible, be submitted to the Council. Proposals for modification of a Part dealing with an autonomous organisation shall similarly be submitted to the competent authority of the organisation.

2.—(a) Reports by a Committee involving the expenditure of money must indicate whether the expenditure will constitute part of the general expenses of the League or whether it will be recovered from the Members of the League particularly concerned.

(b) Reports by a Committee other than the Finance Committee recommending action which will involve the expenditure of money shall be accompanied by as close an estimate as time and circumstances allow of the amount of the expenditure involved. This estimate shall, before the matter is brought before the Assembly, be submitted to the Fourth Committee in order that it may be checked by that Committee.

(c) No resolution involving expenditure shall in any case be voted by the Assembly before the Finance Committee shall have expressed its opinion on the advisability of the proposed expenditure from the point of view of general budgetary resources.

CHAPTER V.

COLLECTION OF FUNDS.

Article 20.—The expenses of the League shall be borne by the Members of the League in the manner prescribed by the Covenant.

Article 21.—(1) As soon as possible after the Assembly has adopted the Budget, and the total amount voted has been apportioned among the Members of the League in the manner prescribed by the Covenant, the Secretary-General shall transmit all relevant documents to the Members of the League and request them to remit their contributions as soon as possible after the beginning of the financial year for which they are due, and, in any case, to give notice when payment may be anticipated.

(2) If payment has not been made, and notice as to the anticipated date of payment has not been given, by the first day of April following, the Secretary-General shall repeat his request. He shall again repeat his request at the end of three months, and at the end of a further three months, if such notice has still not been given, and if payment of the contribution has not in the meantime been made.

(3) If, when notice is given, the date proposed is too late to meet the needs of the League, the Secretary-General shall explain the position to the Member concerned. If no payment is made on the date proposed by the Member of the League or afterwards agreed upon, the Secretary-General shall be guided as to the action to be taken by the rule of para. (2).

(4) At the first session of the Council held after each of the dates mentioned in para. (2), the Secretary-General shall present to the Council a statement on the general financial position and on the

steps which he has taken. A similar statement shall annually be presented to the Assembly. The Assembly will take such action as it may deem proper.

Article 22.—(1) States, not Members of the League, which have been admitted members of any organisation of the League, shall, in the absence of any contrary provision, contribute towards the expenses of the organisation concerned as nearly as possible in the proportion in which they would contribute to such expenses if they were Members of the League. This provision shall not apply to the case of a State, not a Member of the League, which accepts an invitation to participate in the work of a League organisation without any condition as to contributing to the expenses of the organisation.

(2) The total amount receivable in accordance with para. (1) shall be shown separately in the Budget, and, when received, shall be applied to reduce the total sum chargeable for the following year to the Members of the League.

(3) In the case of non-autonomous organisations, the Secretary-General shall secure that the amounts referred to in para. (1) are collected. Autonomous organisations shall themselves collect such amounts; the rules laid down in Article 21 shall apply as far as possible, and the competent officials shall supply the Secretary-General with the information necessary for the application of those rules.

Article 23.—Receipts, other than contributions payable by Governments, such as receipts from the sale of publications and other miscellaneous sources, and interest, shall, if possible, be estimated in advance and be deducted, as appropriations in aid, from the estimates put forward in the Budget.

CHAPTER VI.

APPROPRIATION OF FUNDS.

Article 24.—The adoption of a Budget by the Assembly shall constitute an authorisation to the competent officials or authorities to incur expenditure, during the year to which the Budget relates, for the purposes for which money has been voted in the Budget up to, but not exceeding, the amounts so voted.

Article 25.—The competent officials shall not allow any money to be expended for any purpose in excess of the amount provided in the Budget for such purpose. In order to prevent any such excess of expenditure, they shall cause all payments, as made, to be appropriated to the proper item of the Budget, and shall keep a record of such appropriations and of liabilities incurred showing at all times the amount available under each item.

Article 26.—(1) On the receipt of each contribution, the Secretary-General shall distribute to the competent officials of the autonomous organisations the proportional amount to which each organisation is entitled. The share of each autonomous organisation shall bear the same proportion to the whole contribution as the estimates of such organisation bear to the whole estimates of expenditure of the League for the year to which the contribution relates.

(2) The Secretariat and the autonomous organisations shall share in the Working Capital Fund in a proportion determined, *mutatis mutandis*, on the principle of para. (1).

(3) Where the current requirements of the Secretariat, or of an autonomous organisation, within the limits of its budget, cannot be met out of its proportional share of the contributions hitherto received or other income, the Secretary-General shall make advances to meet such requirements out of the Working Capital Fund up to the amount of the organisation's proportional share in the fund. An organisation may be advanced more than its proportional share of the fund as a temporary loan with the consent of the competent officials of the organisation, whose shares are thereby diminished.

Article 27.—(1) Where the advances which can be made under the preceding Article are not sufficient, the Secretary-General shall have power to contract loans within the limits of the Budget and with the approval of the Council, or, if the Council is not in session, of the President of the Council.

(2) The interest on such loans shall be charged to the various organisations in the proportion in which they benefit from them; but if any organisation has already received more than its proportional share of the Working Capital Fund, it shall, as from the date of contracting the loan, be charged interest on such excess as though it were money derived from the loan, and an equal amount of the loan shall be available, without interest, for the organisations whose shares of working capital have been depleted.

(3) The Secretary-General shall not borrow for any organisation in any year more than its proportional share (calculated on the same principle as its proportional share in contributions) of the total amount which he estimates that he can borrow during such year.

Article 28.—When a sum is voted in the Budget by the Assembly without specification of the precise purposes for which it is to be applied, no part of such sum shall be expended until a detailed statement as to the nature and object of the expenditure has been considered and approved by the competent authority.

Article 29.—Transfers from one item to another of the same Chapter of the Budget may be effected by special resolutions of the competent authority. Such resolutions shall at once be communicated to all Members of the League and to the Assembly at the beginning of its regular annual session.

Article 30.—(1) Payments in respect of transactions for which provision is made in the Budget of a particular year may be charged to the accounts of that year if they are made not later than the 15th day of February of the following year.

(2) Persons to whom any payment is due out of the Budget for any year shall be requested to submit their accounts in good time before 15th February of the following year, and shall, so far as is possible, be tendered payment before that date.

(3) There shall be included in each Part of the Budget for each year a fund, known as the "Unpaid Liabilities Fund," for the purpose of enabling the competent officials to pay debts which are due in respect of transactions covered by the Budget for the previous year, but which could not be paid in time to be chargeable to such year owing to unavoidable or excusable delay in the presentation or settlement of the accounts.

(4) Creditors who, after their attention has been called to the provisions of this Article, neglect to present their accounts in time to allow of payment by the prescribed date, if they cannot be paid out of the Unpaid Liabilities Fund without preventing payment therefrom of creditors who satisfy the requirements of para. (3), shall be informed that their accounts cannot be paid until the necessary sum has again been voted by the Assembly.

CHAPTER VII.

THE WORKING CAPITAL FUND: INVESTMENT OF FUNDS.

Article 31.—(1) The Working Capital Fund is a fund established for the purposes mentioned in Article 33 below, and constituted by monies voted by the Assembly and payable by the Members of the League, in addition to the sum voted for the expenses of the year.

(2) The Assembly alone is competent to decide whether, in any year, amounts shall be added to the Working Capital Fund. Additions other than those authorised by the Budget may not be made. The balance of income over expenditure for any year shall not be used for that purpose without a special resolution of the Assembly.

Article 32.—(1) The Working Capital Fund shall be administered as a separate account. As soon as a Member pays its contribution, the Working Capital Fund Account shall be immediately credited with a portion of the contribution corresponding to the ratio between the amount voted in respect of the Working Capital Fund for the year and the total amount voted for the year.

(2) The account shall be debited with the amounts withdrawn in accordance with these Regulations.

Article 33.—(1) In accordance with Article 26, para. (2), the Working Capital Fund is primarily applicable to meet temporarily normal requirements of regular organisations of the League which cannot be paid out of income at the time when they are due to be met. Such organisations shall have the first claim to assistance from the fund. The assistance shall be given in the form of advances from the fund to the competent officials of the organisations, and such advances shall be repaid to the fund as soon as the necessary income is available.

(2) Recoverable advances required for work undertaken by the League may be made from the Working Capital Fund if the money is not required for the regular organisations. Such advances must be authorised by a special resolution of the Council, which shall keep the Members of the League fully informed with regard to all such resolutions and advances.

(3) Repayments of recoverable advances shall be paid into the fund from which the advances were drawn pending a decision by the Assembly as to their final disposal.

Article 34.—The Secretary-General may place the Working Capital Fund, and any other funds not immediately required for use, on deposit at interest with the bankers of the League, or in other banks of internationally recognised standing, for such periods as he may consider desirable. The interest received shall be dealt with in accordance with Article 23.

CHAPTER VIII.

THE ACCOUNTS.

Article 35.—The annual accounts shall consist of two parts:—

(1) A budget account showing for each item: (a) the original vote, (b) the vote as modified by any transfers which may have been approved by the competent authority, (c) the actual expenditure incurred.

(2) A statement of assets and liabilities as at the 31st December.

Article 36.—(1) A statement showing the position of the Working Capital Fund, based on the account mentioned in Article 31, shall be attached to the accounts as an annex.

(2) A statement showing for the past financial year (a) any recoverable advances made from the Working Capital Fund, and (b) any expenses borne on a vote for unforeseen expenses incurable only by special resolution of a competent authority, shall be annexed to the accounts.

Article 37.—(1) The procedure prescribed in Chapter IV. with regard to the Budget shall, *mutatis mutandis*, apply also to the accounts.

(2) The Secretary-General shall see that the accounts and the annexes for each year reach the Commission before 1st April of the following year.

(3) The provisions of Chapter IV. concerning the representation of the various organisations at meetings of the Commission and the Assembly or its Finance Committee, shall also apply to the submission and discussion of the accounts.

Article 38.—(1) The Assembly shall finally pass the expenditure and income accounts. It may disallow any item which it may consider improper and may direct the corresponding amendment of the accounts. The accounts, with the modifications (if any) made by the Assembly, shall be adopted by the Assembly.

(2) If the Assembly disallows any item in the accounts, it shall, at the same time, decide what steps shall be taken to deal with the matter.

CHAPTER IX.

INTERNAL CONTROL.

Article 39.—The competent officials shall designate the officials who may incur liabilities and make payments on behalf of, or out of the funds of, the respective organisations. They shall make rules to secure: (a) that no liabilities are incurred or payments made except by such officials, (b) that no liabilities are incurred which are not provided for in the Budget, (c) that no payment is made for which the liability has ceased, and (d) generally to establish strict control enforcing observance of the rules of this Article.

Article 40.—(1) The competent officials shall make rules to ensure the exercise of the greatest economy in incurring liabilities.

(2) In all cases in which it seems to be desirable, and in any event in the case of any single purchase of supplies likely to exceed 10,000 Swiss francs in cost, tenders shall be invited by advertisement in at least two leading newspapers belonging to different countries, and in the *Monthly Summary* of the League or an official publication of any autonomous organisation concerned.

(3) The competent officials shall determine who may open and accept tenders, and make rules for guidance in accepting tenders.

Article 41.—In order to ensure economy, the competent officials shall cause an accurate record to be kept of all capital acquisitions, and of all supplies purchased and used during each year, and shall submit to the auditor, with their accounts, a statement showing the stores in hand at the 31st December, distinguishing stores purchased from capital and stores purchased from revenue.

Article 42.—(1) The competent officials shall make rules prohibiting the use of the property or the services of the League for private purposes, except with due authorisation given in the interests of the League and subject to specific regulations.

(2) Such regulations shall provide for payment, unless there is a reason to forego payment in the interest of the League, and shall contain the necessary provisions to ensure that all payments due are regularly collected.

CHAPTER X.

EXTERNAL SUPERVISION.

Article 43.—(1) The provisions of the following Articles are without prejudice to the provisions of other Chapters defining the supervision exercisable by the Commission.

(2) The following Articles are without prejudice to the power of the Commission under other Chapters, where no special mention is made of the *rapporteur* or the auditor, to delegate to them powers and duties by the regulations which the Commission makes for the conduct of its business.

Article 44.—(1) The accounts of the League shall be audited by the auditor after the closing of the accounts for each year, and, in addition, three times during the course of each year.

(2) The three audits which are to be performed during the year shall be at such time as the Commission may determine, but reasonable notice shall be given in advance to the competent officials of the organisations concerned.

(3) The auditor shall report to the Commission upon each audit. The audit of the closed accounts of each year shall be completed and be submitted, with the auditor's report thereon, to the Commission not later than the 15th April in the year following.

Article 45.—The auditor shall be entitled to see, on demand, any document which is relevant to his examination of the accounts or other duties. Not later than the 10th of each month, a statement of receipts and expenditure for the preceding month shall be forwarded to him, together with the report of the Internal Control Officer.

Article 46.—For the purpose of each of the audits, the competent officials shall furnish to the auditor, at the seat of the organisation concerned, budget accounts, with vouchers, showing all receipts and payments for every completed month since the last audit down to the close of the preceding month.

Article 47.—(1) The auditor shall verify whether the receipts and payments are in accordance with the Budget and with the regulations.

(2) With respect to the payments, he shall in particular ascertain whether any sums have been paid which were not due, and whether any double or over-payments have been made.

(3) Any question which the auditor may raise with regard to any receipt or payment, and upon which he is not satisfied by such verbal explanation as he may receive from the competent official, shall be put to such official and be answered by him in writing, and the question shall, if the reply is not satisfactory to the auditor, be placed before the Commission.

Article 48.—(1) The auditor shall include in his report upon the closed accounts for each year a statement dealing with:—

- (a) The receipts of the League during the year.
- (b) The amounts receivable at the 31st December.
- (c) The amounts recoverable at the 31st December.
- (d) The stores in hand at the 31st December.
- (e) The liabilities at the 31st December.
- (f) Any other items which the Commission may deem it necessary to add hereto.

(2) In addition to the reports referred to in Article 44, the auditor may, if he thinks fit, report to the Commission from time to time, and shall so report if the Commission so determines.

Article 49.—(1) After considering the reports submitted by the auditor, the *rapporteur* shall draft a general report on the accounts of each year for the consideration of the Commission. This report shall deal in detail with all matters likely to be of interest concerning the financial administration of the League during the year in question.

(2) The *rapporteur* shall at once send to the competent officials copies of the parts of his draft report relating to their organisations.

FINAL PROVISIONS.

Article 50.—(1) Rules made by the competent officials, in order to carry out the provisions of these Regulations, shall be communicated to the Commission in due time before the next session of the Commission.

(2) The rules of internal financial administration hitherto in force in the various organisations shall be brought into conformity with these Regulations.

Article 51.—These Regulations shall not be amended except by the Assembly acting upon the advice of its Finance Committee; but, where it is proved to the Commission that some alteration or addition is urgently required, the Commission is authorised to approve and put into temporary operation such alteration or addition, but shall report thereon to the Council and the Assembly as soon as possible for final decision by the latter.

Article 52.—The present Regulations shall come into force on the 1st January 1923.

ANNEX III.—*Report of the First Committee on the Allocation of the Expenses of the League of Nations.* (Rapporteur, M. de Palacios, Delegate of Spain.)

I.—SCALE OF ALLOCATION.

In accordance with the decision taken by the Assembly at its second meeting on 4th September, the First Committee has considered the report submitted by the Committee on Allocation of Expenses, presided over by M. Réveillaud, in which is set out an amended provisional scale for the allocation of the expenses of the League of Nations amongst the Member States.

The President of the present Assembly suggested, in the course of the remarks which he made when this question was referred to the First Committee, that that Committee should consult the Fourth Committee should it find it necessary to do so. After the report of the Réveillaud Committee had been read in the First Committee, and the various members of that Committee had expressed in general terms the extent to which the Governments which they represented were prepared to accept the proposals contained therein, the First Committee proceeded to the nomination of a Sub-Committee. This Sub-Committee held a number of joint sessions with a parallel Sub-Committee of the Fourth Committee appointed to collaborate with it.

This mixed Sub-Committee, whose report is annexed hereto, after hearing the statements put forward by the representatives of those Members of the League which considered that the scale proposed by the Réveillaud Committee might be further improved, suggested that the number of units which the Réveillaud Committee attributed to Japan, Sweden and Roumania should be reduced by two in each case, and the number of units attributed to Norway, Lithuania, Luxemburg, Cuba, and Venezuela should be reduced in each case by one. This reduction was rendered possible by the generous action of the Polish Delegation, which made a voluntary offer on behalf of its Government to pay 10 more units than the Réveillaud Committee had suggested, and further, by the admission of Hungary to League membership. The mixed Sub-Committee proposed that the allocation of Hungary should be four units.

The First Committee, after considering the recommendations put forward by this joint Sub-Committee, and being apprised of the fact that the Fourth Committee had no observations to make upon it, accepted the resulting scale of contributions with one dissentient voice. The scale thus adopted is as follows:—

States.	Units.	States.	Units.
Albania	1	Japan	73
Argentine*	(35)	Latvia	5 — 2 = 3
Australia	26	Liberia	1
Austria	1	Lithuania	5 — 1 = 4
Belgium	20 — 5 = 15	Luxemburg	1
Bolivia	5	Netherlands	20
Brazil	35	New Zealand	10
British Empire	95	Nicaragua	1
Bulgaria	7	Norway	11
Canada	35	Panama	1
Chile	15	Paraguay	1
China	65	Peru	10
Colombia	7	Persia	10 — 4 = 6
Costa Rica	1	Poland	25
Cuba	9	Portugal	10
Czecho-Slovakia	35	Roumania	40 — 9 = 31
Denmark	12	Salvador	1
Esthonia	5 — 2 = 3	Serb-Croat-Slovene State	35 — 9 = 26
Finland	10	Siam	10
France	95 — 17 = 78	South Africa	15
Greece	10	Spain	40
Guatemala	1	Sweden	18
Haiti	2	Switzerland	15
Honduras	1	Uruguay	7
Hungary	4	Venezuela	5
India	65		
Italy	73 — 12 = 61		

* Subject to any observations which may be made by the Argentine Government. No corresponding provision will be made in the accounts.

II.—LEGAL POSITION.

It will be remembered that last year the Second Assembly of the League of Nations passed an amendment to Article 6 of the Covenant, under which the last paragraph of that article was replaced by the following words:—

“The expenses of the League of Nations shall be borne by the Members of the League in the proportion decided by the Assembly.”

Unfortunately, the number of ratifications requisite to the enforcement of this amendment have not yet been received. Since, in the view of the First Committee, the scale set out above should replace the scale proposed by the second and third amendments to Article 6 of the Covenant carried by the last Assembly, the ratification of these two amendments is no longer requisite. But the Committee ventures to draw the attention of the Assembly to the great desirability of an immediate ratification of the first amendment in order that a definitive scale may be established at the earliest possible date. In view, however, of the general opinion of the Members of the League of Nations that the scale of the Universal Postal Union is unjust and inequitable, the First Committee considers it imperative for the general interest of all Members of the League of Nations that some practical solution of the problem should immediately be reached, and that the recognised injustices involved by the Universal Postal Union's scale should not be continued as a result of a too rigid application of a strict interpretation the

Covenant. It therefore has the honour to submit to the Assembly the provisional solution for the year 1923 contained in the following resolutions:—

The Assembly,

Considering that it is desirable to modify as soon as possible the system of allocation of the expenses of the League of Nations among its Members and to replace the scale of the Universal Union now in force by a more just and equitable scale;

And considering that the scale annexed to the present resolution has been recognised by general consent as establishing a more just and equitable system for the allocation of the said expenses, and that it is recognised to be desirable to secure the immediate application of this scale as a provisional measure:

Approves the application of the above-mentioned scale for the allocation of the said expenses for the year 1923.

The Assembly requests the Council to ask the Committee for the Allocation of Expenses, presided over by M. Réveillaud, to continue its researches with a view to preparing a definitive scale which may be submitted to a subsequent Assembly. The Assembly leaves it to the Council to modify the composition of the Committee as it thinks desirable.

It begs the Council to notify the Members of the League of Nations that it is no longer necessary to continue the ratification of the Amendments No. 2 and No. 3 of Article 6, voted by the Assembly of 1922, but, on the other hand, to urge them to proceed urgently to the ratification of the first amendment.

ANNEX.

Report submitted to the First Committee by the Mixed Sub-Committee instructed to examine the Réveillaud Scheme.

At the meeting held on 16th September, the First Committee instructed the Sub-Committee appointed on 6th September, and increased by the addition of two new members, to consider, in collaboration with the Sub-Committee of the Fourth Committee, the Réveillaud scheme concerning the funds of the League.

COLLABORATION WITH THE FOURTH COMMITTEE.

The first question raised concerned the decision as to whether the report of the Sub-Committee should be submitted for discussion to the First or to the Fourth Committee. In this connection reference was made to the recommendation voted by the Fourth Committee at its seventh meeting requesting the Sub-Committee it had instructed to consider the question of the allocation of expenses to draft a report in agreement with the Sub-Committee appointed for the same purpose by the First Committee. This report would be submitted to the First Committee for information and to the Fourth Committee for discussion. As some difference of opinion had arisen on this point, the Sub-Committee consulted the verbatim records of the Second Plenary Meeting of the Third Assembly, at which meeting the various committees had been set up. M. Edwards' proposal, in the form in which it was accepted by the Assembly, laid down that the First Committee (constitutional and judicial questions) should deal, among other matters, with item No. 18 on the agenda, namely, the "Allocation of Expenses." The Fourth Committee (Financial and budgetary questions) would deal with item No. 20, namely, the "Budget, verification of accounts and the administration of the finances of the League." M. Edwards pointed out, however, that the question of the allocation of expenses included under item No. 18 might give rise to doubt. This question "could be referred to the First Committee, as it is rather of a constitutional character. Last year it was examined jointly by the First and Fourth Committees, and I have no doubt that the First Committee would consult the Fourth Committee on this matter this year if it found it necessary to do so." In view of this text, and after the Chairmen of the First and Fourth Committees had been consulted, a unanimous agreement was arrived at, to the effect that the two Sub-Committees should form a mixed committee, but that, subject to the observations which might be made by the Fourth Committee with respect to the proposed scale, the report should be submitted by the Chairman of the Sub-Committee to the First Committee for discussion.

HUNGARY'S CONTRIBUTION.

The Sub-Committee is of opinion that the contribution of Hungary, which has just been admitted to the League of Nations, must not be based solely upon the index figure obtained in the same way as for other States, as the index based upon the figures of the pre-war Hungarian budget places Hungary much too high in the scale and in no way corresponds to the real situation of this country. The Committee is therefore of opinion that the figure of five units, which is more or less empirical, appears not to exceed the amount which might reasonably be expected from this country. The Sub-Committee agreed as to the desirability of distributing the amount of these units as far as possible between all the Members of the League, and that they should not be employed in order to relieve some Members only, particularly as Poland's generous proposal through her first delegate left 10 units at their disposal, which should be favourably considered.

STATEMENTS MADE BY DELEGATES REQUESTING REDUCTIONS IN THEIR CONTRIBUTIONS PROPOSED IN THE NEW SCALE OF THE RÉVEILLAUD COMMITTEE.

The Sub-Committee next heard those delegates who wished to make a verbal statement requesting reductions in their contributions.

The Japanese Delegate stated that his Government considered excessive the sudden increase of 10 units allocated to his country, as compared with the scale adopted by the Second Assembly. In his opinion, Japan was the only country whose contribution had been so markedly increased, since the case of Australia was based upon special considerations which had been stated in the verbal report made on 6th September to the First Committee by M. Réveillaud.

Japan was at present passing through an acute economic crisis, and the Government intended to effect important reductions in its army and navy. The Japanese Delegate therefore requested that the increase might be limited to 5 units instead of 10, as had been proposed in the scale drawn up by the Réveillaud Committee.

The Norwegian and Swedish Delegates both requested that their contributions should not be altered from the figures in the scale fixed by the Second Assembly. They stated that in the new scale the units allocated to Norway had been increased from 10 to 12, and those allocated to Sweden from 15 to 20.

In the opinion of the Delegates, last year's scale had already taxed these two countries to their utmost paying capacity as compared with the paying capacity of other countries. The new proposed scheme, which was certainly less unfair than that of the Universal Postal Union, would still lay an undue burden on these countries. They also pointed out that the two amendments to Article 6 of the Covenant had been ratified by their Governments, and that it was therefore very difficult to request their Parliaments to reconsider this question, especially when a new increase of credits was involved.

The Lithuanian Delegate pleaded the devastated condition of his country, and requested the same treatment as that accorded to the two Baltic States.

The Luxemburg Delegate requested that his country should be placed in the last category, as it was by far the smallest of all the Members of the League and its finances were at present in a very unsatisfactory condition.

The Roumanian Delegate emphasised the sufferings of his country during the war, the devastations which had been committed, and the financial difficulties arising from the transfer to Moscow of the gold reserve and of all securities. He left to the Committee the task of deciding what reduction it could grant Roumania.

The Cuban Delegate asked the Committee to grant a reduction of three units. In support of his request he advanced certain figures showing that the situation of his country was at present most unfavourable. It had passed through the most serious economic and financial crisis as a result of the considerable decrease in the sugar exports, which constituted its principal source of wealth.

The Hungarian Delegate asked the Committee to fix the contribution of his country at one unit. In support of his request he put forward the charges resulting from the Treaty of Trianon as well as the financial and economic difficulties of his country caused by the great depreciation in its currency.

The Persian Delegate stated that when Persia was about to join the League, she enquired what her contribution would be and was told that it would be between 100,000 and 125,000 gold francs. Persia has always paid this amount and was willing to continue to do so. As he had received very precise instructions on the subject, he could not possibly agree to a contribution of more than 125,000 gold francs, but he would not fail to explain the position to his Government and to use his influence to induce his Government to agree to the new allocation scheme.

PROPOSAL MADE BY THE SUB-COMMITTEE ON THE REDUCTIONS TO BE GRANTED.

The Sub-Committee, after having examined the foregoing requests, shared M. Réveillaud's view that there were, in any case, three countries at least whose claims were undoubtedly justified. It therefore unanimously proposed that Lithuania should be granted a reduction of one unit in view of the devastation which that country had suffered. On the other hand, the Sub-Committee considered that the figure of four units was not excessive compared with the three units of the two Baltic States, whose population was much smaller. The Committee proposed a supplementary reduction of two units to be granted to Roumania and a reduction of one unit to Luxemburg, which would thus be placed for the time being in the last category.

After a full discussion on the advisability of granting reductions in respect of the contributions of certain other countries, the Committee proposed a reduction of one unit for Cuba and Venezuela. As regards Japan, Sweden and Norway, after some discussion, the Committee, wishing to reconcile the various opinions and to remove the remaining difficulties, finally decided to support M. Réveillaud's proposal to reduce Japan and Sweden by two units and Norway by one. The Japanese and Swedish representatives, both of whom were members of the Mixed Committee, finally gave their personal approval to this reduction, which involves an increase of eight units for Japan and of three units for Sweden as compared with the scale adopted last year. In the same spirit the Committee has finally decided to propose a reduction of one unit for Persia and of one unit for Hungary, which would thus contribute four units only.

The reductions proposed by the Committee were therefore as follows:—

	Units.		Units.
Japan	2	Cuba	1
Sweden	2	Venezuela	1
Roumania	2	Persia	1
Norway	1		
Lithuania	1	Total	12
Luxemburg	1		

As this figure of 12 units exceeded the number of units available in consequence of the offer made by Poland, the Sub-Committee proposes that two units should be taken from the four units proposed for Hungary, reserving the remaining two units in favour of all the other Members of the League in accordance with the wish expressed above.

The Sub-Committee, having been notified of the resolution taken by the First Committee at its ninth meeting, namely, that the number of units allotted to the Argentine Republic should be fixed, suggested the number of 35 for the new scale proposed with the reservation defined in the resolution in question.

The Sub-Committee further recommends that the units for each country be published in the same manner as was adopted in the report of the Allocation Committee, but that the units for Italy be changed from $75 - 14 = 61$ to $73 - 12 = 61$.

ADDENDUM.*

Point of Order opposed by India to Discussion of the Report of the Committee on Allocation of Expenses. Report by Sub-Committee I. (Legal Committee).

The Committee was instructed to consider and report on the preliminary objection raised by the Indian and Venezuelan representatives to the consideration by the First Committee of the report, dated 4th July 1922, of the Committee on the Allocation of Expenses (known as the "Reveillaud" Committee).

* This report was not annexed to the report of the first committee to the Assembly.

The objection is based on Rule 4, para. 5, of the Rules of Procedure of the Assembly. These rules are applicable to proceedings of committees of the Assembly. Rule 4, para. 5, says that no proposals for the modification of the allocation of expenses for the time being in force shall be inserted in the agenda unless it has been communicated to the Members of the League at least four months before the date fixed for the opening of the session.

The committee has had three meetings, at one of which Sir Sivaswamy Aiyar, representative of India, was present and explained in detail his point of view. After hearing these explanations and considering all the material at its disposal, the Committee has the honour to submit the following report:—

Rule 4, para. 5, of the Rules of Procedure was adopted by the Second Assembly on 5th October 1921. The origin of this rule is shown by the records of the Fourth Committee of the Second Assembly. It was part of the new scheme worked out by that Committee for the allocation of the expenses of the League on a more satisfactory basis than the scale laid down in the Postal Union. The central idea of this new scheme was to confer upon the Assembly the right to determine the allocation of expenses. (See Amendment I. to Article VI. adopted on 5th October 1921: "The expenses of the League shall be borne by the Members of the League in the proportion decided by the Assembly.") In order to protect the States Members of the League against sudden modifications of the table of distribution, it was decided that no proposal for the modification of the allocation of the expenses was to be inserted in the agenda unless it had been distributed to the Members four months before the meeting of the Assembly. But in order not to encumber the Covenant with a rule of mere procedure, it was at the same time decided that the provision should not figure in the above amendment but should be put in the Rules of Procedure of the Assembly.

The Sub-Committee feel that it is unfortunate that the Fourth Committee of the Assembly, in giving to its proposals partly the form of an amendment to the Covenant and partly that of an amendment of the Rules of Procedure of the Assembly, did not realise that the Assembly itself could modify its Rules of Procedure and that the modification would come into force immediately upon its adoption, whereas the amendment of the Covenant could not become operative until after the expiry of several months when the necessary ratifications had been obtained. Nothing was inserted in the text of the new Rule of Procedure as adopted in 1921 to indicate that it was intended only to apply as and when the Assembly had secured the control of the allocation of the expenses of the League; and in these circumstances some members of the Sub-Committee feel it impossible to report that this rule—Rule 4, para. 5—does not apply to the agenda of the present Assembly.

It is, on the other hand, clear to the Committee that the Second Assembly was definitely of opinion that any further report made by the Reveillaud Committee should be discussed at the Assembly of 1922, for they find in the report of Sir Rennell Rodd, presented in the name of the Fourth Committee to the Assembly, and accepted by it, the following passage:—

"The Fourth Committee then decided that all other proposals for modification of the scale of allocation and the memoranda submitted in support of them should be referred to the expert Committee for investigation in connection with the revised scheme which it is to prepare. It will, of course, be open to this Committee to hear the representatives of such countries as desire to express their views and to present any results which are ready in time to the Assembly of 1922."

It will be remembered that the Assembly adopted the earlier scheme of the Reveillaud Committee as a provisional scheme only and passed the following resolution:—

"The Assembly, recognising that the proposals of the expert Committee (A. 40, 1921) are still susceptible of improvements and adjustments after a more exhaustive investigation of the data, recommends that this Committee, so ably presided over by M. Reveillaud, be re-appointed by the Council to continue its work and, after taking account of the various factors not yet fully examined, to submit a further report indicating such modifications of the allocation provisionally accepted as it may deem equitable."

In view of the passages quoted above it is clear that it would not have been in accordance with the wishes expressed at the Assembly of 1921 that the discussion of the new Report of the Reveillaud Committee should be postponed until the Assembly of 1923, and the Committee is of opinion that the Secretary-General acted wisely in inserting in the agenda the item "Allocation of the Expenses of the League," though it would have been more correct to treat the item as inserted under 2 (c) ("Items ordered by the Assembly") than under 2 (d) ("Items proposed by the Council").

The above conclusion does not, however, absolve the Committee from advising on the legal question referred to it, viz., whether Rule 4, para. 5, prevents the First Commission from considering the new report of the Reveillaud Committee dated 4th July 1922.

It will be observed that Rule 4 deals exclusively with the framing of the agenda. It does not deal with the discussion either in the Assembly or in Committee of the items included in the agenda. The agenda was circulated in its revised form on 1st September 1922 was brought, before the Assembly in its Second Plenary Session on 4th September for adoption, and was then adopted unanimously. In the text of the agenda as circulated on 1st September, reference was given to the Assembly Documents relating to the particular items, and as regards Item 18 (Allocation of the Expenses of the League), there is a reference to "Document A. 8," which is the report of the Reveillaud Committee dated 4th July.

In these circumstances the Committee is of opinion that the Members of the Assembly had notice when they adopted the agenda and referred Item 18 to the First Commission that the question being referred to that Committee for consideration was the Reveillaud Report. Any objection to the insertion of this item in the agenda should, therefore, have been taken at the meeting of the Assembly. The unanimous adoption of the agenda by the Assembly cures any irregularity which there may have been in connection with the insertion of the item.

The Committee is, therefore, of opinion that there is no objection to the consideration of the Report in question by the First Committee.

ANNEX IV.—*Report by First Committee on the Contribution of the State of Salvador to the Expenses of the League.* (Rapporteur, M. Struycken.)

The First Committee appointed a Sub-Committee to examine the various legal questions raised by Salvador in regard to its contribution to the League.

The Sub-Committee consisted of: MM. F. J. Urrutia,* Sir Cecil Hurst, A. H. Struycken, G. Noblemaire (who was replaced by M. Réveillaud) and H. Rolin.

M. Struycken was appointed *Rapporteur*.

The Sub-Committee presented the annexed report to the Committee.

As the result of the discussions which took place in the Committee, the following resolution was adopted:—

“The Committee proposes to the Assembly that the report which it has received from its Sub-Committee on the claim of Salvador be transmitted without discussion to the Council of the League, together with copies of the procès-verbaux of the Committee and of the discussions which have taken place within it, in order that the Council may take such action in the matter as it considers appropriate.”

REPORT BY THE SUB-COMMITTEE.

By various communications addressed to the Director of the International Labour Office and to the Secretary-General of the League of Nations, the Minister for Foreign Affairs of the Republic of Salvador has raised certain important questions concerning the contributions of that country to the expenses of the League of Nations.

These questions relate—

- (1) To the expenses of the International Labour Organisation.
- (2) To those expenses of the League of Nations which are not in a strict sense connected with the working of the Secretariat.

(1) In regard to the expenses of the International Labour Organisation, the Government of Salvador declares that not having signed the Treaty of Versailles which created the Organisation, it does not consider itself as obliged to contribute to the expenses which it involves. The simple fact that Salvador has acceded to the League of Nations does not, in the opinion of its Government, oblige it to bear its part of such expenses.

It is true that there is no clause in the Covenant expressly imposing upon Members of the League the obligation of contributing to the expenses of the Labour Organisation. The Treaty of Versailles, of which the Covenant forms an integral part, stipulates, however, in Article 387 that the original Members of the League of Nations shall be the original Members of the Labour Organisation, and that hereafter membership of the League of Nations shall carry with it membership of the said Organisation; and, furthermore, Article 392 of the same Treaty provides that the International Labour Office shall be established at the seat of the League of Nations as part of the organisation of the League. Finally, Article 399 determines that, with the exception of certain expenses mentioned in the first paragraph of the Article, all the expenses of the International Labour Office and of the meetings of the Conference and of the Governing Body shall be paid to the Director by the Secretary-General of the League of Nations out of the general funds of the League.

The above provisions show that the Treaty of Versailles has created very intimate relations between the League of Nations and the Labour Organisation, and, in particular, that it has from the start imposed upon the former the obligation of paying the expenses of the latter.

The Treaty of Versailles is the international instrument from which the League of Nations springs. The coming into force of the Treaty simultaneously established the League and placed it under the obligations defined in Part XIII. of the Treaty as regards relations with the International Labour Organisation.

The obligation to bear the expenses of the Labour Organisation was, therefore, constituted a fundamental obligation of the League of Nations by the instrument which gave the latter being, and is an obligation incumbent upon it from its birth, that is to say, from the date of the coming into force of the Treaty of Versailles. The legal situation thus created is not merely binding upon the Members of the League of Nations who were parties to the Treaty of Versailles, but also binds with equal force States which, under Article 1 of the Covenant and its Annex, were invited to accede to the Covenant without reservation and accepted this invitation after the coming into force of the Treaty. Salvador is one of the latter States.

The Treaty of Versailles once in force, and the League of Nations once established, States which were not parties to the Treaty could not accede to the Covenant, could not become Members of the League, without becoming Members of the League as it was constituted at the moment of their accession, that is to say, bound by the relations and subjected to the obligations specified by the Treaty, and in particular those contained in Part XIII. concerning the Labour Organisation.

In the same manner as, in private life, a member who attaches himself to an existing association cannot refuse to recognise obligations of the association which existed before he joined, even if such obligations are not formulated in its statutes, so a State which without reservation becomes a Member of the League of Nations cannot dispute obligations resting upon the League before the State's accession, and can the less do so in the present case in view of the circumstances that it is a question of obligations under the burden of which the League was born, and that Salvador has by its accession acquired the quality of an original Member of the League.

It appears, moreover, from the facts set out below, that it is in the above sense that accession to the Covenant has been and was bound to be understood by all the Members of the League of Nations.

Even before the coming into force of the Covenant, all the Allied and Associated States who signed the Treaty of Versailles, and all the Powers mentioned in the Annex to the Covenant as entitled to accede to the Covenant, were convoked by the President of the United States to the first meeting of the annual Labour Conference provided for by Part XIII. of the Treaty.

* M. Urrutia was prevented by the numerous duties resting upon him as the sole delegate of Colombia at the Assembly from taking part in the discussions of the Sub-Committee.

The notice of convocation, which was issued in virtue of Article 424 of the Treaty, was in the following terms:—

"The President of the United States, in accordance with the provisions of Part XIII. of the Peace Treaty between the Allied and Associated Powers and Germany, signed at Versailles on 28th June 1919, and under authority vested in him by Congress, hereby convenes the first meeting of the annual Labour Conference, to assemble in Washington at noon on the 29th day of October 1919. The Government of the United States extends to each nation which is, or which prior to said meeting shall become, a Member of the International Labour Organisation as defined in Article 387, an invitation to send its delegates and other representatives to Washington for the purpose of attending such Conference."

The very terms of this invitation show clearly that the States were invited in the indivisible capacity of Members of the League of Nations and Members of the Labour Organisation, for Article 387, to which the invitation refers, is the provision which gives to a Member of the League of Nations the quality of a Member of the Labour Organisation. Moreover, the invitation is based on Part XIII. of the Treaty of Versailles, and this circumstance shows that the provisions of the Treaty relating to the League of Nations were considered to be obligatory upon its Members.

In response to the above invitation, both the States which signed the Treaty of Versailles and the States invited to accede to the Covenant met at Washington on and after 29th October 1919, and pursued their deliberations in accordance with the provisions of Part XIII. of the Treaty.

Among these States was Salvador, whose representative, M. Salvador Sol, Envoy Extraordinary and Minister Plenipotentiary at Washington, took part in the meetings of the Conference.

By the above action both Salvador and all the other States attending the Conference recognised the legal relationship between the League of Nations and the Labour Organisation, even before the Treaty of Versailles came into operation.

The Treaty of Versailles came into force on 10th January 1920. Two days later, the President of the Peace Conference despatched to the Prime Ministers of the States mentioned in the Annex to the Covenant as "States invited to accede to the Covenant" a telegram informing them of this fact and inviting them to accede to the Covenant within the two months following the coming into force of the Treaty; and a certified true copy of the Treaty of Versailles was transmitted to their diplomatic representatives at Paris.

Even if it had not previously possessed such knowledge, none of the States in question could thereafter be ignorant of the text of the Treaty of Versailles and the relations which it established between the League of Nations and the Labour Organisation, or of the financial liabilities resulting therefrom for the League.

All the invited States accepted the invitation by a declaration deposited with the Secretariat of the League. The declaration made by Paraguay and Spain alone expressly mentioned the Labour Organisation. The other declarations expressed merely accession without reservation to the Covenant of the League of Nations. The Government of Salvador made such a declaration on 10th March 1920.

Thenceforward, all the States which acceded to the Covenant have considered themselves as being, in virtue of this fact, Members both of the League of Nations and of the Labour Organisation, and they have all recognised the obligatory character of Article 399 of the Treaty of Versailles which binds the League of Nations to pay the expenses of the Labour Organisation.

The Minister for Foreign Affairs of Salvador, alone, by a letter of 26th June 1920, addressed to the International Labour Office, declared that his Government, although it acceded to the Covenant of the League, which forms an integral part of the Treaty of Versailles, could not consider itself as bound by the Treaty, but merely as bound by the provisions contained in the Covenant, and that in consequence it did not feel itself obliged to respond to the invitation of the Labour Office to fulfil the duties imposed by Article 412 of the Treaty.

To this unexpected reservation, which in any case was difficult to reconcile with the fact that Salvador had been represented at the first Session of the Labour Conference in 1919, the Labour Office replied by a letter of 28th September 1920, giving reasons to show that Salvador was bound, like all the other Members of the League of Nations, to discharge the obligations imposed by Part XIII. of the Treaty of Versailles.

The Government of Salvador did not reply to this letter.

Shortly afterwards there was held at Geneva the first session of the Assembly of the League of Nations, at which Salvador was duly represented.

In its discussion and resolutions, the Assembly constantly adopted the view that the provisions of Part XIII. of the Treaty of Versailles were binding upon the League without any reservations or restriction.

In particular no one—and to this the delegation of Salvador was not an exception—ever questioned in any way that the League of Nations, under Article 399 of the Treaty, was obliged to bear the expenses of the International Labour Organisation.

In the report on the work of the Council of the League, which was presented to the first session of the Assembly, the legal relations between the League of Nations and the International Labour Organisation were indicated in the following terms:—

"The Council has recognised the International Labour Organisation as constituted by the first Labour Conference held at Washington in November 1919, and has affirmed the principle of a close co-operation between the International Labour Office and the Secretariat.

"Articles 398 and 399 of the Treaty of Versailles define the relations between the International Labour Office and the Secretariat. The Secretary-General is to give his assistance to the Labour Office so far as is in his power, and the expenses of the International Labour Organisation are to be included in the budget of the League and paid to the Director of the Labour Office by the Secretary-General."

In the discussion which took place upon this report, the statement quoted gave rise to no objection or observation on the part of any of the Members of the Assembly, not excepting Salvador.

In the first three budgets of the League, which correspond respectively to the periods 5th May 1919 to 30th June 1920; 1st July to 31st December 1920, and the year 1921, provision is made for the expense of the International Labour Office. These budgets were voted upon and adopted unanimously.

by the Assembly without any objection on the point being raised by any delegation. The delegation of Salvador raised no objection and did not vote against the budgets in the form in which they were presented to the Assembly.

It follows from the above facts that all Members of the League of Nations, including Salvador, have implicitly recognised the legal duty of the League to pay the expenses of the International Labour Organisation, in accordance with the provisions of Article 399 of the Treaty of Versailles.

It was not until 10th May 1921 that the Minister for Foreign Affairs of Salvador, in a letter addressed to the Secretary-General of the League of Nations, took exception to the inclusion of these expenses in the budget of the League. The inclusion of the expenses being legally obligatory and having been affirmed to be so by all Members of the League of Nations, including Salvador, the Government of Salvador cannot now raise objection either in regard to previous financial periods or future financial periods of the League.

2. As regards those expenses of the League of Nations which are not in a strict sense connected with the working of the Secretariat, the Government of Salvador, in its letter to the Secretary-General of 10th May 1921, relies upon the provisions of the fifth paragraph of Article 6 of the Covenant for the purpose of contesting the duty of Members of the League to contribute to such expenses.

The provisions in question are:—

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

It is difficult to understand why the Covenant mentions only the expenses of the Secretariat when dealing with the distribution of expenses. At the same time the restricted expression employed in the Covenant cannot be an obstacle to the application of the general principle, a principle applicable to all associations, that legally incurred expenses of an association must be borne by all its members in common.

Article 24, para. 3, of the Covenant, under which the Council may include as part of the expenses of the Secretariat the expenses of any bureau or commission which is placed under the direction of the League, is in itself sufficient to show that the Covenant did not intend to exclude from the expenses of the League charges which were not expenses of the Secretariat.

The Government of Salvador alleges that the circumstance that the expenses mentioned in para. 3 of Article 24 are included in the expenses of the Secretariat does not imply that they are chargeable to all the Members of the League; but this view is incompatible with the clear and precise text of Articles 6 and 24 of the Covenant.

It is, moreover, certain that, from the beginning of its existence, the League of Nations has given to the provisions of the Covenant the broad and reasonable interpretation set out above.

This is abundantly evident from the discussion and votes of the Assembly of 1920 (at which Salvador was represented) upon the first three financial periods of the League, as well as from the discussions of financial questions which have taken place during later sessions of the Assembly.

In all the budgets have been included expenses of a different character from expenses of the Secretariat, and no delegation has ever objected to this procedure.

It follows that Salvador, having raised no objection to the first three budgets which were unanimously voted by the Assembly of 1920, must be considered to have made herself without reservation a party to the interpretation of the Covenant which was the basis of such votes.

It should also be noted that Salvador is shown as a debtor to the extent of 1,948*l.* in a list of contributions paid by or due from the various Members of the League for the expenses of the period down to 30th June 1920, which was distributed to the Members of the Assembly of 1920, as well as in the balance sheet for the same period, which was distributed in the same manner, and that she made no objection.

Furthermore, the Rules of Procedure of the Assembly were unanimously adopted by the First Assembly, and no delegation, not excepting that of Salvador, offered the slightest opposition to the general language of Article 4 (f) which includes as an obligatory item in the agenda “the Budget for the next fiscal period and the report on the accounts for the last fiscal period,” general terms which comprise all the expenses of the League.

For the above reasons it appears that the Government of Salvador having accepted in the manner described the just and equitable interpretation of the Covenant by which all the Members of the League are to contribute to all its legally incurred expenses, cannot be entitled to refuse to pay its share of such expenses determined in accordance with the principle of Article 6, or such other principle as may be substituted therefor.

In his letter of 10th May 1921, the Minister for Foreign Affairs of Salvador remarks that some of the expenses of the League of Nations do not interest all its Members in the same degree, but are incurred rather for the particular advantage of certain Members. He infers that it would be inequitable to charge such expenses to all the Members of the League, including those which do not benefit by them.

This is an observation as to a matter of fact which is certainly interesting and which has, moreover, already led to various proposals, both in the Council and in the competent Committees of the League. It raises a question which it seems ought to be given a satisfactory solution at an early date, but it cannot modify the legal point of view upon which this Sub-Committee bases its conclusions.

CONCLUSIONS.

The Sub-Committee is of opinion:—

(1) That the expenses of the Labour Organisation as determined by Article 399, para. 2, of the Treaty of Versailles, should be included among the expenses of the League and be borne by all its Members, including Salvador, in the proportions established by Article 6 of the Covenant.

(2) That the expenses of the League which fall to be borne by all its Members are not limited to such expenses as are connected in a strict sense with the working of the Secretariat, but include all expenses legally incurred by the organs of the League and inscribed in its annual Budget as voted by the Assembly, and that Salvador cannot consequently refuse to pay its appropriate share of such expenses.

ANNEX V.—*Report by the Second Committee on the Work of the Finance and Economic Committee.*

(A)—REPORT ON THE WORK OF THE FINANCIAL COMMITTEE.

(Rapporteur: M. Holsti (Finland)).

A year ago, when the eminent Chairman of the Economic and Financial Committee, M. Gustave Ador, presented to the Assembly the report of the Second Committee upon the Economic and Financial Organisation of the League, he reminded the Assembly how profoundly troubled was the economic situation of the world at that time, and he pointed out how the work of the Economic and Financial Committee had been rendered difficult on this account.

The present year, in considering the report of the Financial Committee, the Second Committee has been deeply impressed throughout its discussions by the fact that this grave situation still continues. The Financial Committee has itself drawn attention to the violent changes and the extreme uncertainty which have characterised the financial condition of the world during the past 12 months, and the Second Committee has fully appreciated how difficult it has been for the Financial Committee to achieve successful results in these circumstances. For this very reason the Second Committee appreciates all the more the readiness with which the distinguished members of the Financial Committee have devoted their time and their special abilities to the service of the League of Nations.

The distinctive task of the Financial Committee is to maintain the essential value of the resolutions of the Brussels Financial Conference and to promote their application. The principles embodied in these resolutions have since been confirmed by the Second Assembly and again endorsed by the Genoa Conference. The very evils from which the financial and economic activities of the world are suffering require, as one of their fundamental remedies, the application of these principles.

The Second Committee has noted the extent to which the Financial Committee has tried to assist in putting these resolutions into practice in different cases. It trusts that the Financial Committee, while remaining, in the future, as in the past, strictly respectful of the sovereign independence of the States Members of the League, will continue to do its utmost to recommend and promote the application of the principles of sound finance.

The financial and economic publications already undertaken are a valuable contribution to this work. The Second Committee recommends that they should be continued and, within prudent limits, extended, so as to throw light upon the more important aspects of national and international finance.

In addition to the promotion of sound financial principles, which the Financial Committee rightly regards as its constant duty, the Committee has been chiefly occupied with rendering advice to the Council on various specific questions which have called for its attention. At the request of the Council, the Committee has examined the possibility of rendering technical assistance to the Albanian Government. In agreement with that Government, the Committee has examined the economic and financial situation of Albania and is about to publish a report by a distinguished economic expert. This is the first comprehensive statement on the resources and the economic possibilities of Albania. In agreement with the Albanian Government, moreover, the Committee is about to propose the nomination of a financial adviser who should render great assistance to that Government in the difficult tasks with which it is certain to be faced in the organisation and consolidation of the new State. The Assembly will note with pleasure that the interest which the League of Nations has shown in the affairs of Albania is being continued in this practical manner.

Another problem with which the Committee has dealt is the finances of the Free City of Danzig. At the request of the Council, the Financial Committee examined this problem, and its report has led to a recommendation to the Reparations Commission to take into early consideration the possibility of modifying the claims upon Danzig arising out of the Armistice and the Treaty of Versailles. The Financial Committee has continued its investigations in order to examine the grave problem created for the Free City by the continued depreciation of her currency. It has come to the conclusion that Danzig would benefit greatly if the existing currency could be replaced by a sound and stable money, and it has made recommendations to the Free City which should contribute to this result.

Another action has been undertaken by the Financial Committee in connection with the loan raised by the Czechoslovak Government. At the request of that Government and with the approval of the Council, the Committee has undertaken, if required, to act as arbitrator in the event of certain questions arising in regard to the loan which that Government has recently contracted abroad.

Perhaps the most important of the problems with which the Committee has been occupied is the restoration of the finances of Austria. It will be remembered that at the time of the last Assembly, the plans of the Financial Committee were held in suspense by certain difficulties which it was beyond the power of the League of Nations to remove. Since that time, the Financial Committee has lost no opportunity of showing its sympathy for the condition of Austria and its desire to assist in remedying this situation by any means in its power. Most regretfully the Second Committee has to recognise that a year has passed without any scheme of assistance for Austria being put into operation. The Financial Committee is at present advising the Council upon the grave problem which has recently been submitted to it, and it is devoutly to be hoped that it will assist in promoting a complete and enduring solution of the difficulties of this unhappy country.

The Second Committee sees in these varied activities of the Financial Committee, evidence of the extent to which the finances of different countries may derive benefit from the existence of an impartial international body of experts. It trusts that the Committee will hold itself ready in the future to continue to collaborate with the Government of any State Member of the League of Nations for any of the different questions which may be submitted to it.

There are also certain questions involving the relations between several Governments, with which the Financial Committee has occupied itself. They include such matters as Double Taxation, the Flight of Capital, Evasion of Taxation, Lost, Stolen or Destroyed Securities. In the matter of Double Taxation and the questions related to it, solutions have not yet been recommended, but the Financial Committee has recently taken action with a view to promoting a more rapid and practical handling of the question. The Second Committee considers that there may be other financial questions of international importance for which solutions might possibly be found through the intermediary of the Financial Committee, and it recommends that the Committee should take into serious consideration any practical proposals for action in such matters. Moreover, the Committee considers that there is a special group of questions—

namely, those connected with the problem of stabilising the currencies of the world—which it will be useful even at the present time to examine with some care. Although it may prove that the final solution of these questions must depend upon the solution of even greater financial problems, such as those of inter-governmental indebtedness, the Second Committee considers that their study might usefully be undertaken without delay. It trusts that the Financial Committee will be able in this manner to produce reports which will throw light on the various aspects of the currency problems with which the world is confronted, and it considers that the Committee should accumulate such information as will contribute to this end.

On several occasions, for instance by M. Löfgren, delegate of Sweden, the attention of the Second Committee has been called to the resolution which the Third Committee unanimously adopted on 21st September, with a view to a general solution of the reparations problem and the problem of inter-Allied indebtedness. Even before this, the Financial Committee had laid special emphasis on the gravity and urgency of these questions, and it was solely out of consideration for the important deliberations and resolution of the Third Committee that the Second Committee confined itself to declaring its lively satisfaction with this resolution, which may be expected to have the most beneficial consequences, and expressed the conviction that the Economic and Financial Organisation will be ready always to lend its assistance in the event of the League of Nations being called upon to collaborate in the solution of the great problems referred to in the resolution.

The recommendations which this report attempts briefly to explain are to be found in Nos. 1, 2 and 3 of the resolutions proposed to the Assembly by the Second Committee.

(B.)—REPORT ON THE WORK OF THE ECONOMIC COMMITTEE.

(*Rapporteur*: The Jonkheer van Eysinga.)

The work of the Economic Committee, on which I have to report to you on behalf of the Second Committee, has been devoted in the main to the great object the attainment of which by the League of Nations is contemplated in Article 23 of the Covenant, namely, equitable treatment of commerce. There is no need to remind you that, if the present situation of the economic world still leaves much to be desired, the reason is simply that at present commerce is not yet being universally carried on under conditions which may be regarded as equitable.

As you are aware, the equitable treatment of commerce is impossible without equitable freedom of communications. Your Communications and Transit Organisation has, therefore, already dealt with certain aspects of the problem.

How has the Economic Committee approached the problem on the solution of which largely depends the restoration of economic conditions on the broad lines suggested in the Covenant? We may here record that the eminent men who have been good enough to devote their great learning, their experience and their time to the service of the League of Nations, and to whom our thanks are due, have followed the path which will lead most surely and expeditiously to practical results. The Economic Committee has begun by attacking the problem from the side on which the difficulties, though considerable, appear susceptible of removal in the near future.

The Economic Committee has accordingly considered what measures might be taken by the world against unfair competition, customs formalities which do not satisfy the demands of equity, the faulty regime as regards foreign persons and organisations duly authorised by law to exercise their trade or profession within a country, and the exercise of an unjust discrimination against foreign goods and vessels. To these contributions to the realisation of the aim of Article 23 (e) of the Covenant must be added the question of dumping and differential prices, the facilities under private law which might be introduced into international commerce by the insertion of an arbitration clause in commercial contracts, and the international regulation of bills of exchange. Finally, the attention of the Economic Committee has been devoted to the measures to be taken for the standardisation of economic statistical methods.

I should like to dwell for a moment on some of these problems.

With regard to the unfair competition which is mentioned in Resolution 4, para. (b), the Economic Committee, with the approval of the Council, has once more given proof of its whole-hearted support of the principle which should govern all the work of the League of Nations—that of the necessity of avoiding overlapping. The measures relating to unfair competition which are proposed by the Committee and embodied in the Report which you have already seen, and merely designed to form a basis for discussion at a Conference on Industrial Property, to be held under the terms of the Washington Convention of 1911, a Conference in which all the Powers members of the Union for the Protection of Industrial Property will take part.

Mention should be made here of the fact that M. Zumeta, Delegate of Venezuela, drew the attention of the Committee to the harm caused to fair and legitimate commerce through the manufacture and sale of products which, though not infringing the regulations governing trade marks and patents, are nevertheless a form of fraud, owing to the various devices intended to disguise their real nature. The Committee considers that the Economic and Financial Committee might examine this form of unfair commerce and also the most suitable methods of suppressing it.

With a view to the suppression of all Customs and similar formalities which are inadequate from the point of view of equity, the Economic Committee has planned a Conference of Technical Advisers in practical questions relating to Customs, a Conference which is provided for in Resolution IV. (c). The Committee has prepared a preliminary draft which shall take the form either of a convention, a declaration or a recommendation. I would recall the fact that the Advisory and Technical Committee on Communications and Transit has dealt with the communication side of this question. The same applies in the highly important question of unjust discrimination, while that concerning foreign undertakings and nationals (*see* Resolution IV. (d)) is still under consideration.

The Council has already adopted the idea of applying to the Governments of the States Members of the League of Nations with a view to the adoption of certain resolutions referring to the arbitration clauses in commercial contracts. In the meantime, the kindred problem of the execution in one country of the judgments and awards of the tribunals pronounced in other countries shall be submitted to judicial investigation.

With regard to international regulations for bills of exchange, preliminary investigations and measures have been provided for, in collaboration with the Netherlands Government, which took the initiative at the Conferences in 1910 and 1912.

In conclusion, the question of the standardisation of economic statistical methods, advocated at the Genoa Conference, is to form the object of an enquiry on the part of the Economic Committee in collaboration with the International Statistical Institute. Here again the policy of the Economic Committee is to avoid all overlapping. The Second Committee has noted with keen satisfaction this prudent line of conduct, and has expressed its conviction that the Economic and Financial Organisation will continue, should occasion arise, to co-operate in all branches of its activity with other organisations already dealing with the subjects in question.

The few observations which I have had the honour to lay before you show that the work of the Economic Committee constitutes a practical starting point, inasmuch as it consists in adopting such measures as may most easily be carried out. The report submitted to the Assembly by the Committee will prove that the latter would be the first to admit that the extensive investigations which it has already begun, and that the measures which it has already adopted or which it is at present proposing, cannot as yet be regarded as a complete realisation of the essential requirements with regard to the equitable treatment of commerce. I am in a position to state that the Assembly will voice the convictions of the Economic Committee if it expresses the hope as set out in Resolution IV. (e) that the investigations which have already been successfully initiated will be extended and pursued uninterruptedly, so that the principle of equitable treatment of commerce may be applied as widely and as speedily as possible.

This ideal will only be realised when international trade is carried on as if frontiers between nations no longer existed. All our efforts must be directed towards this still distant ideal.

M. Löfgren, Delegate of Sweden, reminded the Committee of the Resolution which the General Labour Conference had adopted in 1921 as regards the national and international aspects of the problem of unemployment; this resolution provided in this important matter for co-operation between the International Labour Office and the Economic and Financial Organisation. With a view to facilitating this co-operation, the Second Committee proposes to the Assembly the adoption of Resolution VI.

I desire to add a few words regarding Resolution VIII., dealing with the present provisional form which the Council desires, for the time being, to retain for the Economic and Financial Organisation. This provisional form has, moreover, been successfully tested, and it has the great merits of an elasticity which enables it to meet the very varied demands which have already been made upon it in the past, and which it may again be required to meet in the future, under the able chairmanship of M. Ador. There is nothing to prevent the two Committees from appointing Sub-Committees for specific tasks, and they are also free to combine forces should the need be felt. It may also be pointed out that the Economic and Financial Committee and the Committee for Communications and Transit have already co-operated with successful results. I believe that what I venture to call the "provisional elasticity," which is a feature of the organisation of our institution, specially qualifies it to accomplish with excellent results all the work which it may be called upon to perform, perhaps in the near future.

(C.)—RESOLUTIONS.

The Second Committee has the honour to propose to the Assembly the adoption of the following resolutions* :—

Assembly
Resolution
No. 26 (28th
Sept. 1922).

I.—The Assembly notes with satisfaction the services which the Financial Committee has rendered to the Council in its several tasks, notably in regard to the finances of Danzig, the technical aid to be given to Albania and the restoration of the financial condition of Austria.

It highly appreciates the activities of the Committee, and it hopes that the Committee will consider practical proposals on all specific subjects which, in present conditions, might be ripe for solution by collaboration between States, and that the Committee will pursue its enquiries on practical lines, so as to arrive at positive results.

It hopes that the study of the various questions connected with the stabilisation of currencies, and in particular of the foreign trade balance and balance of payment of various States, which is an essential element of the question, will be actively pressed forward so as to lead to the publication of reports which will throw light on this problem, which is one of urgent importance.

II.—The Assembly has again had its attention drawn to the persistent gravity of the financial dislocation and its increasingly serious effects upon the commercial and industrial structure of the whole world. It reiterates its belief that an essential part of the remedy for these evils is the application of the rules of finance laid down at the Brussels Financial Conference and recently endorsed at the Genoa Conference. It invites the Financial Committee to renew the enquiries which it undertook last year on the progress made in the application of these resolutions by various Governments. It also invites the Committee to investigate, with a view to effective results, and in collaboration, formal or informal, with the Governments concerned, all practical proposals which may be made for the completest possible application of the principle of sound finance which these resolutions embody.

III.—The Assembly, appreciating the advantages which may flow, for the finances of various countries, from the disinterested assistance of an impartial international body of experts, invites the Financial Committee to hold itself at the disposal of the Governments of the States Members of the League, and to render them the assistance in its power for such questions, and in such forms as they may find most appropriate.

IV.—(a) The Assembly notes with satisfaction the thorough enquiry which the Economic Committee has made into the questions concerning the equitable treatment of commerce and the progress achieved in regard to certain aspects of the problem.

(b) It looks forward to a modification of the existing international conventions on unfair competition in consequence of the Committee's proposals, and approves the procedure adopted by the Council with a view to securing this end.

(c) It approves the proposal to convene a Conference of experts on customs formalities. It trusts that all possible measures will be taken, not only to promote the success of the Conference, but also to follow up its conclusions in such a way as to secure practical action by the Governments with the least possible delay.

(d) The Assembly notes the further work undertaken in connection with the problem of the equitable treatment of commerce. It counts upon valuable recommendations being submitted at an early date in regard to the treatment of foreign persons and firms.

* Unanimously approved by the Assembly.

(e) It hopes, however, that the investigation thus successfully begun will be extended and continued without interruption, in order that the principle of equitable treatment of commerce may be given the earliest and most general application possible.

V.—The Assembly has noted the progress made and the results achieved by the Economic Committee in the other tasks which it has undertaken, partly in consequence of the resolutions of the Genoa Conference (dumping, statistical methods, &c.), and partly in other matters (bills of exchange). It is anxious that the attention of the States Members of the League should be drawn in a special manner to the recommendations in regard to commercial arbitration (*la clause compromissoire*) and the stabilisation of customs tariffs.

VI.—The Assembly, having taken note of the decisions of the General Labour Conference of 1921, calling for an enquiry into the national and international aspects of the unemployment crisis and of the means of combating it, and requesting the International Labour Office to call into co-operation the Economic and Financial Section of the League of Nations for the solution of the financial and economic questions raised by the enquiry:

Requests the Economic and Financial Organisation to arrange the scope and method of such collaboration at an early date, and to bring to the enquiry carried on by the International Labour Office any information which it has in its possession.

VII.—The Assembly invites the States Members of the League of Nations to assist in the work of the Economic and Financial Committee by furnishing as fully and as speedily as possible the information for which the Committee may ask, notably for their various publications and their investigations in regard to the equitable treatment of commerce.

VIII.—The Assembly notes that the Council proposes to maintain for the present the Economic and Financial Organisation under its existing provisional form, in order to pursue the work which it has already undertaken, subject to such changes in the composition of the two Committees as the Council may decide.

ANNEX VI.—*Report by the Second Committee on the Organisation for Communications and Transit.* (Rapporteur: Dr. Mineitcivo Adatci.)

The Assembly has had before it this year two reports transmitted to it by the Council from the Advisory and Technical Committee for Communications and Transit, on the work of the Organisation for Communications and Transit between the Second and Third Assemblies. The first report contains a general statement of the work of the Committee for Communications and Transit up to its last session. The second report deals with the subjects discussed at the last session, which ended just before the opening of the Assembly.

It would seem unnecessary to give a detailed account of the questions dealt with in these reports, since the latter have now been laid before the Members of the Assembly. The Assembly, moreover, will observe that, in spite of the importance of the questions dealt with and the variety of the subjects, the investigation of which, at least, has been undertaken, no proposal nor definite recommendation has been made to the Assembly of the League by the Committee for Communications and Transit. The Assembly has not been requested to take any special action, strictly so called.

This need not cause surprise. The position of the Organisation for Communications and Transit with regard to the Council and the Assembly differs to a certain extent from that at present occupied by the other technical organisations of the League. The Organisation for Communications and Transit assumed, after the Barcelona Conference and in accordance with the Resolutions of the First Assembly, the final normal form of one of the regular technical organisations of the League. Its Advisory Committee is a Committee the members of which are men of acknowledged competence appointed by the Governments of the various countries, and the majority of whom were elected at the Barcelona Conference by the States Members of the League collectively. A Committee constituted in this manner, and differing markedly from committees consisting of technical experts nominated by the Council, such as the Advisory Economic and Financial Committee or the Advisory Health Committee, has a responsibility of its own and freedom of action within the limits defined with precision in the Resolution of the First Assembly, dated 8th December 1920, on the relations between Technical Organisations, the Council and the Assembly of the League. Subject to the right of control exercised by the Council and the Assembly, it can communicate its recommendations and its opinions direct to Governments. The rôle of the Assembly in connection with such an organisation consists of keeping itself fully informed of the work accomplished and in noting the direction and development of this work in order to point out to the organisation itself, should occasion arise, any omissions or any improvements which may be necessary. It would appear, therefore, that the principal task of the Assembly is to consider whether the Organisation for Communications and Transit, as a regularly constituted and responsible body, has, during the year which has elapsed between the last two sessions of the Assembly, correctly interpreted the duties assigned to it in accordance with the Covenant by the Assembly Resolutions by which it was instituted.

If the Assembly considers this question, it will have no difficulty in finding the reply in the reports which have been submitted to it, and which are sufficiently clear and concise, while giving all the details necessary regarding every aspect of the work which is being carried out.

The first task of the Advisory and Technical Committee for Communications and Transit was to supervise the carrying out of the decisions taken at previous conferences. It would indeed be useless to undertake fresh work if the tests which are the result of former labours had not actually been applied. The Organisation for Communications and Transit has already a tradition and a past. In October 1920, under the auspices of its Provisional Committee, very important recommendations were adopted by a Conference on Passports, Customs Formalities, and Through Tickets. The General Conference held at Barcelona drew up, within a much wider field, a series of conventions and recommendations, embracing all continents which form the charter of the Organisation for Communications and Transit and the first definite results of Article 23 (e) of the Covenant.

The Assembly will note with satisfaction in the reports of the Organisation for Communications and Transit that the work of putting the recommendations and decisions of these two conferences into practice

is pursuing its normal course and is making steady progress. As a result of the investigation, decided upon last year by the Assembly, it has been recognised and specially noted by the International Economic Conference at Genoa that most of the States were giving effect to the majority of the recommendations of the Conference on Passports, the texts of which have, moreover, been used as the basis of an international convention concluded at Gratz between certain of the Succession States of the Austro-Hungarian Monarchy. With regard to the Barcelona recommendations and conventions, the Assembly must feel gratified that the Genoa Conference has once more confirmed their importance for the economic reconstruction of Europe. The Assembly will note that, as more than five States have ratified them, the General Convention on Freedom of Transit and the General Convention on the Regime of Navigable Waterways of International Concern and the Additional Protocol to this Convention are shortly to come into force. It will also observe that, although the declarations made by the representatives of all the Governments present at the Genoa Conference justify the hope that the Convention on Freedom of Transit will soon be very widely applied, certain difficulties still exist as regards the extension of the General Convention on the Regime of Navigable Waterways of International Concern. With regard to this subject, however, the Assembly cannot fail to find special grounds for satisfaction in the latest efforts made at its recent session by the Advisory and Technical Committee for Communications and Transit, when it drew the attention of the Governments concerned, and especially those Governments taking part in the drafting of the Navigation Act for a waterway of international concern, to the advisability of ascertaining whether the ratifications or adhesions are not being impeded merely by misunderstandings, and when it requested the Secretary-General of the League to facilitate by all the means in his power the conclusion of any agreements of this nature between States, it being understood that such agreements should in no way derogate from the rights of other States which are Contracting Parties to the Convention, and the principle of which, as it is in entire harmony with that of the League of Nations, will not fail to meet with the special approval of the Assembly. The energies of the Organisation for Communications and Transit have not been entirely absorbed in the work of supervising previous decisions. It was fully aware of the fact that its rôle consisted in undertaking any new investigations likely to give effect to and develop to the greatest extent possible the principle of freedom of communications embodied in the Covenant.

Some of these investigations were, indeed, imposed upon it by previous decisions, either of the Barcelona Conference or the Assembly, which were based on certain provisions of the treaties. This is the case with regard to the investigations dealing with the Convention on the International Regime of Railways, of which the actual scheme of work is set out in the Committee's second report, and which, in view of its general character and wide range, will probably be an undertaking worthy of the League. The same may be said of the investigations now being carried out by the Committee for Communications and Transit with regard to the recommendations adopted by the Barcelona Conference on the international utilisation of hydro-electric power. Finally, the same also is true of the first efforts (which appear to be specially successful) made by the Committee for Communications and Transit to co-operate with the Economic Committee of the League in applying the principle of equitable treatment for commerce. These efforts have already led to the framing of certain rules which, incorporated in the General Convention on the Regime for Railways, would ensure more equitable commercial treatment for railway transport in all the contracting countries, and drawing up the first outlines of a Convention on the International Regime of Ports, provided for in the Treaty of Peace and once more requested by the Genoa Conference—a convention which it would be desirable to submit at the same time as the draft Convention on the International Regime of Railways to the next General Conference on Communications and Transit, to be held during the year 1923.

On the other hand, it is on its own initiative that the Organisation for Communications and Transit has, within all fields of transport, undertaken investigations, of which many, no doubt, will result in practical progress, and will render valuable services to the economic life of all countries. The tonnage measurement of vessels employed in inland navigation, the tonnage measurement of vessels employed in maritime navigation, the unification of private law in inland navigation, the unification of private law relating to air transport, protection against the dissemination of epidemics by traffic on waterways, control of the opium traffic in free ports—the investigation of all these questions has been begun by the Organisation for Communications and Transit, following methods which are especially deserving of note from the point of view of the prudence and extreme care (which the Assembly will appreciate) displayed in keeping in close touch not only with the Governments but also with all the competent technical organisations, whether they are dependent on the League of Nations or not; the Advisory Committee on Opium; the Advisory Health Committee; the River Commissions of the Elbe, Oder and Danube, and the Central Commission of the Rhine; the Hydraulic Danube Commission; the International Commission for Air Navigation, &c.

Such are, in broad outlines, the results of the work of the Organisation for Communications and Transit between the Second and Third Assemblies. Work of this nature must be of long duration, and the year which has just passed has been one of those periods which are always necessary and which are rather periods of preparation and growth than periods fruitful in actual and definite results.

The Organisation for Communications and Transit has decided upon its methods and has prudently and consistently pursued the path which it has marked out for itself. It has obtained the assistance of the technical experts which it required. In accordance with the Resolution adopted by the last Assembly, it has, in particular, appointed two additional experts, nationals of the riparian States of the Danube. Understanding the need for international co-operation on broad lines, it requested the German Government to appoint an expert on railway matters, and the German Government readily associated itself with a work of international concern of this nature. To what extent the Organisation for Communications and Transit has already deserved, in its short but by no means unimportant career, the confidence of Governments is proved by the Genoa Conference. The latter did not confine itself, in its resolutions relating to transport, to congratulating the League of Nations on the work so successfully carried out at Paris or at Barcelona, or to entrusting the Organisation for Communications and Transit with certain new tasks; it went further, and desired that our Organisation should continue its own work and that the task of carrying out the whole of its resolutions should be entrusted to it.

The Assembly will undoubtedly note with satisfaction that the Council, in this matter, has complied with the recommendations of the Genoa Conference, and it will also appreciate the care with which, at its last session, the Committee for Communications and Transit made a detailed analysis of the resolutions of the Genoa Conference—so important for the economic reconstruction of Europe—and of the measures

which the Organisation for Communications and Transit has decided to take to ensure the effective development of this work. There would seem to be no doubt that, as regards the application of the resolutions of the Genoa Conference transmitted by the Council, the Committee for Communications and Transit will be called upon to deal with a large number of practical questions with regard to transport in Europe and thereby to render fresh services. In order to discharge these duties, the Committee will be obliged, as it anticipated, to develop its organisation in an equitable manner. The competent Committee of the Assembly has already been able to appreciate to what extent this development affects the question of the budgetary resources placed at its disposal.

The Committee submits to the Assembly for approval three resolutions which it has unanimously adopted; the first summarising the general ideas stated above, and the other two referring to more specific points. The Committee considered, in particular, the conditions under which two conferences concerning questions of communications and transit would be held; the provision has already been made for the convening of these two conferences.

One of these conferences is the second General Conference mentioned above and organised by the League of Nations itself. The attention of the Committee has been drawn to the great importance for the success of such a conference of submitting the documents which will serve as a basis for discussion to the Governments sufficiently early to enable them to study these documents at leisure. It has been thought advisable to fix a time limit in a definite resolution.

The second is the Conference of Railway Administrations convened and organised by the French railway administrations in accordance with the decisions of the Genoa Conference, the application of which the Communications and Transit Organisation of the League has been instructed to supervise. In the opinion of the Committee, it would be particularly useful to ensure an effective liaison between our organisation and the Conference, and to secure for this purpose the representation at the Conference of the Organisation for Communications and Transit, in order to allow that Organisation to fulfil its duties, and in order to place at the disposal of the Conference all the information which the Communications and Transit Organisation of the League made use of in the preparation of the General Convention on the International Regime of Railways.

I have, moreover, great pleasure in informing the Assembly that, since the draft resolution to this effect was adopted by the Committee, the French Delegation has announced that, according to the latest information, the French railway administrations have forestalled the wish of the Assembly, and propose to invite the Communications and Transit Organisation of the League to the Conference which they have organised.

Resolution I.

The Assembly, after taking cognisance of the first and second reports (A. 132, 1922 VIII. and A. 41) of the Advisory and Technical Committee for Communications and Transit on the work of the Organisation for Communications and Transit between the second and third Assemblies,

Assembly
Resolution
No. 24 (28th
Sept 1922).

Notes with satisfaction:—

- (a) the progress achieved in giving practical effect to the recommendations adopted by the Conference on Passports, Customs Formalities and Through Tickets, held in Paris, in October 1920, and also to the conventions and recommendations adopted at the Barcelona Conference;
- (b) the efforts made by the Organisation for Communications and Transit to facilitate the ratifications of the Barcelona Conventions or the adhesions to those conventions;
- (c) the investigations undertaken for the purpose of drawing up the Convention on the International Regime of Railways, as well as a General Convention on the International Regime of Ports and for the purpose of applying in the domain of transit the principle of equitable treatment for commerce;
- (d) the measures taken with a view to carrying out the resolutions of the Genoa Conference, transmitted to the Organisation for Communications and Transit by the Council of the League with the object of developing the restoration of the actual means of transit in Europe, and

Invites the Organisation for Communications and Transit, which will hold a second General Conference at Geneva during the year 1923, in accordance with the recommendation of the General Conference of Barcelona, approved by the Council of the League at its meeting of 18th June 1921, to continue, on the lines at present adopted, to carry out the duties with which it has been entrusted.

The Assembly believes that the investigations now undertaken will be prosecuted with sufficient energy to ensure that all those investigations which appear likely to give rise to an international agreement may form the subject of definite proposals to be submitted without delay to the second General Conference.

Resolution II.

The Assembly recommends the Organisation for Communications and Transit of the League to transmit to the various Governments concerned, at least three months before the meeting of the Conference which shall be held during 1923, the draft Conventions or recommendations which it has prepared.

Resolution III.

The Assembly takes note with satisfaction of the imminent meeting in Paris of the Conference of Railway Administrations, convened by the French railway administrations, in conformity with the decisions of the Genoa Conference, and draws the attention of the Council to the fact, that it is desirable that measures should be taken for the representation of the Communications and Transit Organisation of the League at the Conference in question, which organisation has been entrusted, in virtue of the decisions of the Genoa Conference referred to above (which have been accepted by the Council and the Assembly), with the task of examining the progress achieved in carrying them out.

ANNEX VII.—*Report by the Second Committee on the work of the Health Organisation of the League.* (Rapporteur: *M. Manuel Rivas-Vicuna (Chile).*) •

I have the honour to lay before the Assembly the report on the work of the Health Organisation during the past year. I shall endeavour to make it as succinct and clear as possible.

I.

I. The Health Organisation, as constituted by the Resolutions of the Council and the Second Assembly,* comprises a Provisional Health Committee composed of members appointed by the Council, and acting in the capacity of an advisory technical body to the Council and Assembly, in order to enable them to carry out the duties which devolve upon them in health matters and in the struggle against disease, in accordance with the various Peace Treaties and their own resolutions. The Committee's Secretariat is under the Medical Director appointed by the Secretary-General.

The Temporary Epidemic Commission forms part of the Health Organisation, but, at the same time, has its separate duties; for it has the duty of administering, in accordance with the instructions of the Health Committee, the funds provided by the voluntary contributions of the Governments for the struggle against epidemics.

I should like to recall, moreover, that the Second Assembly reserved the right which belongs to the Assembly of controlling the constitution of all the important Permanent Committees of the League and when approving the constitution of the Health Committee, it asked that a report should be submitted on the work of this Committee at its next session.

During last year's discussion, the desire was expressed that the Council should attach to the Committee a woman doctor competent in public health affairs, and also a South American member. The Committee was glad to learn that the Council had followed these recommendations, and appointed Dr. Josephine Baker of New York, and Dr. Chagas of Rio de Janeiro. In addition, the Health Committee was asked by the Council to co-opt a member of German nationality.

II. I will not here undertake on the basis of the numerous documents published by the Organisation a recapitulation in detail of the measures taken by the Health Organisation. I will confine myself to laying before the Assembly the general plan according to which the work of the Organisation has been carried on.

It was the pressing and immediate danger and the gravity of the international health situation which mainly occasioned the immediate formation of the Health Organisation last year. In order to fight this danger the Temporary Epidemic Commission was established as its executive body. The efforts of the Health Organisation were first directed towards improving the epidemic situation. It has become more and more evident that success in the campaign against epidemics was one of the first conditions of the re-establishment of the economic situation in a great part of the world.

Its first task consisted in obtaining all the necessary information which the present state of Eastern Europe allowed, and which would procure for the Health Authorities of all the Governments exact data with the least possible delay. As regards Russia, a Commission of Enquiry was sent immediately after the resolution of the Second Assembly—while the Assembly was still sitting—and this Commission drew up a Report giving for the first time in recent years a statement on the actual health situation in this great country. Since then numerous bulletins and reports have enabled the Health Administrations to follow from day to day the development of the great epidemics in that part of the world. These reports are based upon information obtained from various sources, and are supplemented by information gathered on the spot by members of the Temporary Epidemic Commission. The Temporary Epidemic Commission is, in fact, by reason of its duties in close and daily contact with the various Public Health Services of these countries, and in a position to obtain most important data, and also to prepare the bases of technical co-operation between the States chiefly interested in the fight against epidemics.

The funds placed at the disposal of the Temporary Epidemic Commission by the various Governments which contributed to the work have enabled the Health Organisation to intensify the struggle against epidemics which has been carried on by the Public Health Services of the countries concerned. The best method was for the Temporary Epidemic Commission to put at the disposal of these Health Administrations all the necessary sanitary material which could be procured within the limits of the funds received by it. It is only these administrations which can, as a matter of fact, carry on the fight against the scourge in an efficacious manner. But in order to ensure success in the campaign which each of them is carrying on in its own territory, exact information on the general trend of the epidemics must be furnished. The information collected in each country must be placed unreservedly at the disposal of all the Governments, and, finally, real collaboration must be established between them.

The Health Organisation has endeavoured to facilitate the conclusion of bi-lateral anti-epidemic and sanitary Conventions.

The work and results of the European Health Conference held at Warsaw give the most complete idea of this part of the activities of the League's Health Organisation. The Assembly will remember that the Health Organisation provided the Secretariat of this Conference, and was entrusted with the

* "The Health Organisation of the League shall provisionally comprise a Health Committee, which shall be entrusted with the functions detailed in the report of the Provisional Health Committee as adopted by the Council. The Secretariat of this Organisation shall be appointed by Secretary-General of the League and be responsible to him, and shall be placed under a Medical Director.

"The Assembly, in view of the urgency of the present international health situation, and subject to consideration of a report to be submitted at the next session of the Assembly, accepts the constitution of the Provisional Health Committee proposed by the Council. But this decision is without prejudice to the power of the Assembly, admitted last year, to regulate the constitution of important standing Committees of the League.

"In view of the increasing importance of questions of health which more especially concern women, the Assembly invites the Council to take into consideration, at an opportune moment, the question of strengthening the Committee by including a medical woman, experienced in public health matters, qualified to advise on such questions.

"The Epidemic Commission of the League of Nations shall form one Section of the Health Organisation."

Council's approval, with the execution of its decisions. The Conference defined in detail a programme for the fight against epidemics; it fixed the boundaries of a protective sanitary zone wherein their efforts should be concentrated, and drew up a list of the minimum requirements and funds necessary. As a result of the resolutions of the Conference, a whole series of agreements was made between the various Eastern European States. Certain of these agreements appointed the Health Organisation as an organ of mediation in cases of disputes regarding the interpretation of their clauses. The Second Committee wished to emphasise the great importance of this new duty entrusted by the Council to the Health Organisation, and would draw attention to the fact that such a duty could not well be performed by a purely temporary organisation.

The whole work accomplished during the 12 months just elapsed shows the adaptability and elasticity with which the Health Organisation is able to work. Epidemiological information has been obtained and published either by the permanent Secretariat at Geneva or by the staff of the Temporary Epidemic Commission on the spot.

It has distributed the sanitary material and collaborated with the Health Authorities of the various countries through the medium of the Temporary Epidemic Commission. It is at the disposal of the Council and can be placed at the service of any State Member of the League, in order to furnish experts and technical staff for an International Health Conference; in this way it would be collaborating in the work of any such Conference.

III. All the activities so far described refer only to Eastern Europe, but the Health Organisation recognises the importance of not limiting its sphere of action to any one part of the world. As regards epidemiological information, it must serve as an intermediary between all the countries of the world. This is a difficult task, which can only be accomplished by stages. All the necessary material must be collected and standardised, and for that purpose the necessary preliminary methodological studies must be carried out. The Health Organisation commenced its work in this domain by sending a Commission of Enquiry to the Near East, in full agreement with, and after preliminary understanding with, the "Paris Office international d'Hygiène publique." The Commission succeeded in defining the sources of epidemiological information in the Eastern Mediterranean countries; it also brought back a draft convention on anti-epidemic and quarantine measures. This draft will serve as a basis for the discussions of an International Health Conference. With a similar object, but with a more limited scope, another Commission is being organised to obtain all the necessary information regarding the ports in the Far East and the spread of epidemic diseases to all parts of the world. Finally, experts have been invited to make a united study of the incidence of sleeping sickness and tuberculosis among the indigenous population of equatorial Africa, and to suggest any inter-governmental steps which might be undertaken for a successful campaign against these plagues.

IV. After very detailed consideration of the methods to be adopted, the Health Committee decided to institute a system of interchange of public health personnel of the different countries. The Assembly resolution, indeed, expressly entrusted it with the task of "establishing closer relations between the health services of the various countries."

In order to make the matter clearer, I will summarise the conditions in which the first attempt is shortly to be carried out at Brussels. Five officials of the Italian Public Health Service, who work in their own country as medical officers of health of provinces, municipal bacteriologists or Public Health Inspectors, are to visit Belgium with 12 or 15 colleagues from Poland, Czechoslovakia, &c. For three weeks a series of lectures will be delivered in Brussels to demonstrate the principles of the theory and practice of the administration of the various branches of the Belgian Public Health Service. They will make the necessary visits to institutions, and will exchange information regarding the methods followed in their own countries. Finally—and this is the essential part of the system—they are to be distributed among the various public health services to work for periods with the public health officials of the country. They will share the life of their Belgian colleagues, and will accompany them in their tours of inspection, participating in their office work and their various technical consultations.

It is obvious that experiments will have to be made before a final system is decided upon. The lectures and visits may take place in one country, while arrangements will be made with all the administrations concerned for the medical officers to study in the various countries selected. Exchanges may be carried out among the staffs of the specialised services. For example, the public health administration of Brazil might send several of its technical experts to the United States, taking advantage of the League's system of health organisation. In the same way, the public health services of Japan and the Dutch Indies might also benefit by the mutual exchange of their technical experts. This system of exchange is to start with European countries, but obviously, to be of real use, it should be universal in character and should be applied to the public health services of all the countries of the world.

V. Among the points upon which it was essential to ensure more complete co-ordination of the individual efforts of the various countries, the health organisation could not neglect the specific prophylactic and therapeutic domain of preventive medicine hygiene. For this reason the Health Committee decided to take the initiative in co-ordinated research, to be undertaken by 10 Bacteriological State Institutes in various parts of the world (United States, Japan, France, Germany, Great Britain, Italy, Poland, Austria, Denmark, Russia) to establish the standard of anti-toxic units on an experimental basis. Modern medicine employs sera in the treatment of diphtheria or meningitis and in the prevention of tetanus. So far no international agreement had been reached concerning the potency of the biological properties of sera. Such an agreement could not be reached by theoretical discussions. Comparisons had to be made of the agents employed in the various countries, and it was necessary to undertake experiments in these various institutes, using the same technique for all and under strictly defined conditions. This is, perhaps, the first experiment of this kind which has ever been organised. The progress realised has made it possible to convene a small Conference of the Institutes taking part in research work on diphtheria and tetanus, in order to establish a standard serum on the basis of the experiments made during the last 10 months. This Conference will take place in Geneva towards the end of the Assembly, and representatives of the State institutions of France, the United States, Germany, Italy, Denmark and perhaps Russia will take part in it. In this sphere also it is desirable that the research work should be undertaken in laboratories throughout the world, and that the programme of future investigations should take into account the necessity for genuinely world-wide collaboration.

Research work in connection with other sera is more difficult, and will probably go on into next year; it is obvious that the success of this work of genuinely international collaboration may lead to very remarkable results.

VI. The Health Organisation has been able to obtain effective co-operation from a non-governmental public institution. This Rockefeller Foundation in New York has created an International Public Health Board which offers financial help to the various health services and to institutions doing social health work. This great American institution has placed at the disposal of the Health Organisation a subsidy of \$32,840 for a period of five years for the work of the epidemiological intelligence services, and a sum of \$60,080 for three years for the purpose of instituting an interchange of public health officials. This offer was gratefully accepted by the Council, and it will enable the organisation to demonstrate the practical utility of its work. It is clear, however, that the normal budget of the Health Organisation, as drawn up by its Committee, should be retained in its entirety. The Council has rightly emphasised the impossibility of obtaining a subsidy from the Rockefeller Foundation without demonstrating to it the great importance which the League of Nations attaches to the carrying out of its programme of work.

VII. In view of the work accomplished by the Health Organisation as set out in this report the Second Committee have adopted the following Resolution which I have the honour to lay before the Assembly on their behalf:—

Resolution I.

1. The Assembly notes with satisfaction:—

(a) The assistance given by the Health Organisation to the work of the Health Conference of Warsaw, and notes also that the Genoa Conference, having considered the Warsaw Conference Report in accordance with the request contained in the resolution of the Council forwarded on the 3rd April, approved the principles of the anti-epidemic campaign adopted by the Warsaw Conference, and that in consequence of this resolution of the Genoa Conference, transmitted to the Health Organisation by resolution of the Council, dated 21st July, the Health Organisation has been charged with the duty of carrying out the programme outlined by the Conference;

(b) That the Health Organisation has been authorised by various countries to undertake the duties of mediation entrusted to it by certain bi-lateral sanitary conventions which have been concluded as the result of the Warsaw Conference, and that the Council has approved the discharge of these duties;

(c) The co-operation established between the Health Organisation and the other Technical Organisations of the League of Nations, notably the Permanent Advisory Committee on Opium, the Transit Commission and the Mandates Commission;

(d) The assistance given by the Health Organisation in the work preparatory to the revision of the International Sanitary Convention of 1912, and the realisation of co-operation with the "Office international d'Hygiène publique" thus effected, and the fact that the Council has decided to place this Organisation at the disposal of the Conference which is shortly to be convened by the "Office international d'Hygiène publique";

(e) The co-operation effected by the Health Organisation in experimental research concerning the standardisation of sera and serological tests, the first results of which will be presented to a conference which will be convened at Geneva in the near future;

(f) The development of the activities of the Health Organisation with regard to epidemiological intelligence, which should not be limited to problems of importance to only a limited number of countries;

(g) The initiative taken by the Health Organisation with regard to interchange of the sanitary personnel of various Governments, which system it desires should be made applicable to as large a number of countries as possible.

2. The Assembly desires to express its appreciation to the Rockefeller Foundation for the financial assistance which has been offered to the Health Organisation to assist in the development of certain of its activities.

3. The Assembly considers that the Health Organisation of the League of Nations is undertaking a task of permanent utility and that it is indispensable that it should continue its activities.

The Assembly considers that it may be possible, before the meeting of the Fourth Assembly, to prepare, on the basis and on the principles adopted by the First Assembly for the Technical Organisations of the League, the constitution of a permanent Health Organisation which will be submitted to the Fourth Assembly for approval. In such case this Organisation will undertake the duties laid down in the resolutions of the First and the Second Assembly. It may, if necessary, function meanwhile within the limits of the budget and in anticipation of the above-mentioned approval of the Fourth Assembly. To this end the Assembly authorises the Council to take advantage of such general conference as may be convoked, it being understood that all States Members of the League of Nations shall be invited to send delegates thereto.

It also suggests to the Council that an attempt be made at the forthcoming Conferences to make such arrangements as may be necessary to avoid duplication.

II.

VIII. Your Second Committee examined in greater detail the position of the Temporary Epidemic Commission, which has become one section of the Health Organisation by virtue of the decision of the last Assembly. The report of the Temporary Epidemic Commission has been consequently examined by the Health Committee which, having approved it, submitted it to the Council.

The Second Committee wished to draw particular attention to two points: first, to the means by which the autonomous budget of the Temporary Epidemic Commission has been replenished and may continue to be replenished; secondly, to the reasons which have prompted the Health Committee to propose that a sum of Frs. 125,000 should be added to the budget of the League of Nations for the work of epidemiological intelligence, &c., undertaken by the Temporary Epidemic Commission, as a contribution to its expenses, and also the reasons which have led the Council to approve this proposal.

Regarding the replenishing of the budget in the past, the following contributions have been received so far by the Epidemic Commission :—

			£	s.	d.				£	s.	d.
Aug. 20, 1920.	Bulgaria	-	27	0	0	July 21, 1921.	Norway	-	1,919	7	9
Sept. 1, "	Persia	-	2,000	0	0	Aug. 2, "	China	-	2,000	0	0
" 6, "	Siam	-	1,000	0	0	Feb. 17, 1922	Belgium (second contribution).	-	1,000	0	0
Jan. 6, 1921.	Japan	-	5,316	15	10	April 28, "	France	-	50,000	0	0
" 6, "	Sweden	-	3,000	0	0	August "	Holland	-	10,000	0	0
" 6, "	Switzerland	-	2,150	10	9		Total	-	187,397	9	4
" 14, "	Belgium	-	1,000	0	0		Contribution of the League of Red Cross Societies	-	10,000	0	0
" 17, "	Great Britain	-	50,000	0	0		Sundry private subscriptions	-	26	16	0
" 21, "	Greece	-	10,000	0	0			-	£197,424	5	4
Feb. 9, "	Austria	-	42	17	0						
" 15, "	Finland	-	500	0	0						
March 14, "	Peru	-	363	12	9						
" 25, "	Albania	-	981	7	5						
June 4, "	Canada	-	41,095	17	10						
" 11, "	Denmark	-	5,000	0	0						

In accordance with the recommendations of the Warsaw Conference, the expenditure incurred under this head by the Governments of the States bordering on Russia might be regarded as their contribution to this international work.

These sums amounted in 1922 to 412,750*l.* in the case of Poland, 380,000*l.* in the case of Roumania, 70,000*l.* for Latvia and 2,000*l.* for Lithuania, making a total of 864,750*l.* The Second Committee have not had before them figures for Esthonia.

The various documents published make it quite clear that the danger of the epidemics in Eastern Europe continues to be serious. No one can deny the urgent necessity of obtaining funds for the anti-epidemic campaign and for strengthening the health services of the States bordering on Russia.

The Assembly will doubtless remember that all Governments represented at the Genoa Conference unanimously decided to apply to their respective Parliaments for credits. The British Government has obtained a parliamentary grant of 100,000*l.*, on the condition that other States Members of the League should unite in contributing 200,000*l.*

The fact that the epidemic situation has not become still more menacing this year is due indeed to the effort of the countries affected combined with the work of the Temporary Epidemic Commission and with the activities of various relief organisations in Russia, and particularly to the effort of the American Relief Administration, which has earned the gratitude of the whole world.

The First and Second Assemblies have issued appeals for funds for the anti-epidemic campaign. The Council have also untiringly requested Governments for contributions. Your Second Committee does not recommend to the Assembly the issuing of another appeal, but the adoption of the following resolution, which will give to all the Governments an opportunity of stating what are their decisions :—

Resolution II.

The Assembly expresses the opinion that the persistence of epidemics in Eastern Europe still constitutes a serious danger to the world and prejudices the re-establishment of normal economic conditions in the countries affected by these epidemics and in the whole world.

The Assembly notes that all the Governments represented at the International Economic Conference of Genoa accepted the principles of the participation of all European States in the expenditure necessary for the anti-epidemic campaign, and agreed to entrust the direction of this campaign to the Temporary Epidemic Commission.

The Assembly has taken note of the considerable financial effort made by the States *limitrophe* to Russia in order to carry on the campaign in their own territories.

The Assembly notes that, in conformity with the Genoa resolution, the British Government has offered a contribution of 100,000*l.* to the Temporary Epidemic Commission, subject to the condition that the total contributions of other Governments should equal a sum of not less than 200,000*l.*, and that the Council has decided to acquaint the Delegations of all Members of the League of Nations present at the Assembly with this offer, asking them, if possible before the end of the Assembly, to make an announcement regarding the assistance which their respective Governments will be ready to furnish. The Assembly hopes that the Members of the League of Nations will be able to respond at an early date.

III.

The Second Committee has also examined the opportunity of adding to the budget of the Health Organisation the sum of money asked for by the Health Committee and sanctioned by the Council as a contribution to be granted to the Temporary Epidemic Commission for its epidemiological intelligence work, &c.

The Second Committee has discussed this question in detail, and it has decided that, in principle, a contribution should be granted to the Temporary Epidemic Commission. As, however, this resolution involves expenditure, it cannot be submitted to the Assembly before an opinion has been expressed by the Fourth Committee, to which the resolution has been referred.

The Second Committee has decided, however, to give the reasons which prompted it to adopt this decision of principle, and it has asked me to lay them before the Assembly.

The following are the facts of the case :—

On 14th January 1922 the Council decided that the Temporary Epidemic Commission should continue to have its own budget. The Health Committee, however, while desiring to act in accordance with the spirit of this decision, was of opinion that it is necessary to draw a distinction between two different aspects of the work of the Commission. The Temporary Epidemic Commission administers the funds which have been collected to prosecute the campaign against epidemics, and for this purpose it must have its own budget and derive the whole of its funds from contributions made by States,

but on the other hand, apart from this administrative work and as a preparation for it, the Temporary Epidemic Commission has been forced to collect all relevant information regarding the situation and spread of epidemics. The expenses incurred in this work have hitherto been placed on its own budget, together with the expenses of co-ordinating the anti-epidemic work of the administrations of various countries. These services come more properly within the province of the Health Organisation, and in strict equity this expenditure ought, apparently, to be placed on the budget of the latter. The Committee therefore requested that a sum of Frs. 125,000, on behalf of the Temporary Epidemic Commission, should be placed on the budget of the League of Nations under the Provisional Health Organisation.

At the present time the Temporary Epidemic Commission has, in addition to its headquarters office in Geneva, three branch offices at Warsaw, Moscow and Kharkov respectively. The offices at Kharkov and Moscow are in process of development, and the Epidemic Commission has not yet obtained sufficient experience to give an accurate estimate as to the administration expenses that will be incurred thereby. It is clear, however, that the expenses incurred in connection with these offices are unlikely to be less than those of the Warsaw office, which is being administered as economically as possible. In framing estimates of the probable expenditure of the offices of Moscow and Kharkov, the administration expenses of the Warsaw office will be taken as a basis.

The total administration expenses of the Warsaw office amount to 54,000 Swiss francs a year. Similar figures for Warsaw and Kharkov give a figure of 162,000 Swiss francs as the probable administration expenditure of the three offices combined. In addition to the above, salaries of the experts, *i.e.*, of the Chief Commissioner and the three Commissioners in charge of the above-mentioned offices amount to 108,000 Swiss francs, and the salary of the Technical Secretary at the headquarters of the Commission to 12,000. If to the above be added a sum of 8,000 francs to meet the cost of travelling expenses incurred by the head office, the total administration expenses are likely to amount to 290,000 Swiss francs.

In view of the fact that an important part of the duties of the Temporary Epidemic Commission consists of the collection of epidemiological information, the carrying out of investigations and securing closer co-operation between the public health administrations of the countries in which the Commission works—all this being work which must be regarded as a legitimate charge to the budget of the Health Section of the League of Nations as a whole—the Health Committee expressed the opinion that a sum of 125,000 Swiss francs would represent a just proportion of the administration expenses of the Epidemic Commission to be borne by the budget of the Health Section. It will be noted that the sum represents considerably less than half the estimated total administration expenditure of the Temporary Epidemic Commission.

The Second Committee did not think it admissible to deduct a sum, however small, from the contributions donated by certain Governments for the precise and clearly defined purpose of anti-epidemic relief.

They have felt that it was quite natural for the Health Organisation to utilise the services of the members of the Temporary Epidemic Commission for the collection of epidemiological intelligence and for establishing contact with the various Governments. It is clear that the expenditure would be much heavier if the Health Organisation had to entrust these functions to a separate staff. The following Resolution was therefore adopted and referred to the Fourth Committee:—

Resolution III.

“The Assembly notes that, hitherto, the Temporary Epidemic Commission, of which the funds are provided entirely by voluntary contributions intended for the campaign against epidemics and freely granted by certain States, has undertaken a series of epidemiological enquiries and has established a closer co-operation with the technical administrations, necessary in view of the aim which it pursues, but that its activities have been made use of by the Health Organisation for its own requirements; and

“Whereas, under these circumstances, it does not seem equitable that the cost of this work, in which all the States are interested, should be borne only by certain States, and that this expenditure should rather be provided for under the ordinary budget of the League; and

“Whereas it is not admissible that these sums should be paid out of the contributions made by certain States for the clear and well-defined purpose of the campaign against epidemics properly so-called; and

“Whereas the effective continuation of this work and regard for its best results from the economic point of view renders it desirable that the Temporary Epidemic Commission should continue to be entrusted with it;

“Decides that a sum of.....francs shall be included in the budget of the Health Organisation as a contribution to the Temporary Epidemic Commission.”

I shall have the honour to submit the above Resolution for the formal approval of the Assembly after the Fourth Committee have expressed their opinion on it.

RESOLUTIONS SUBMITTED BY THE SECOND COMMITTEE TO THE ASSEMBLY.*

1. The Assembly notes with satisfaction:—

(a) the assistance given by the Health Organisation to the work of the Health Conference of Warsaw. It notes also that the Genoa Conference, having considered the Report of the Warsaw Conference in accordance with the request contained in the resolution of the Council forwarded on 3rd April 1922, approved the principles of the anti-epidemic campaign adopted by the Warsaw Conference, and that in consequence of this resolution of the Genoa Conference, transmitted to the Health Organisation by resolution of the Council dated 21st July 1922, the Health Organisation has been charged with the duty of carrying out the programme outlined by the Conference;

(b) that the Health Organisation has been authorised by various countries to undertake the duties of mediation entrusted to it by certain bilateral sanitary conventions which have been concluded as the result of the Warsaw Conference, and that the Council has approved the discharge of these duties;

* Unanimously approved by the Assembly.

(c) the co-operation established between the Health Organisation and the other Technical Organisations of the League of Nations, notably the Permanent Advisory Committee on the Traffic in Opium, the Advisory and Technical Committee on Communications and Transit and the Permanent Mandates Commission;

(d) the assistance given by the Health Organisation in the work preparatory to the revision of the International Sanitary Convention of 1912, the co-operation with the "Office international d'Hygiène publique" thus effected, and the fact that the Council has decided to place the Health Organisation at the disposal of the Conference which is shortly to be convened by the "Office international d'Hygiène publique";

(e) the co-operation effected by the Health Organisation in experimental research concerning the standardisation of sera and serological tests, the first results of which will be presented to a conference which will be convened at Geneva in the near future;

(f) the development of the activities of the Health Organisation with regard to epidemiological intelligence, which should not be limited to problems which are of importance to only a limited number of countries;

(g) the initiative taken by the Health Organisation with regard to interchange of the sanitary personnel of various Governments, which it desires should be made applicable to as large a number of countries as possible.

2. The Assembly desires to express its appreciation to the Rockefeller Foundation for the financial assistance which has been offered to the Health Organisation to assist in the development of certain of its activities.

3. The Assembly considers that the Health Organisation of the League of Nations is undertaking a task of permanent utility and that it is indispensable that it should continue its activities.

The Assembly considers that it may be possible, before the meeting of the Fourth Assembly, to prepare, on the basis and on the principles adopted by the First Assembly for the Technical Organisations of the League, the constitution of a permanent Health Organisation, which will be submitted to the Fourth Assembly for approval. This Organisation will undertake the duties laid down in the resolutions of the first and the second Assemblies. It may, if necessary, function meanwhile within the limits of the budget and in anticipation of the above-mentioned approval of the Fourth Assembly. To this end, the Assembly authorises the Council to take advantage of such general conference as may be convoked, it being understood that all States Members of the League of Nations shall be invited to send delegates thereto.

It also suggests to the Council that an attempt be made at the forthcoming conferences to make such arrangements as may be necessary to avoid duplication.

4. The Assembly expresses the opinion that the persistence of epidemics in Eastern Europe still constitutes a serious danger to the world, and prejudices the re-establishment of normal economic conditions in the countries affected by these epidemics and in the whole world.

The Assembly notes that all the Governments represented at the International Economic Conference of Genoa accepted the principles of the participation of all European States in the expenditure necessary for the anti-epidemic campaign, and agreed to entrust the direction of this campaign to the Temporary Epidemic Commission.

The Assembly has taken note of considerable financial effort made by the States bordering on Russia in order to carry on the campaign in their own territories.

The Assembly notes that, in conformity with the Genoa Conference, the British Government has offered a contribution of 100,000*l.* to the Temporary Epidemic Commission, subject to the condition that the total contributions of other Governments equal a sum of not less than 200,000*l.* The Assembly notes also that the Council has decided to acquaint the Delegations of all Members of the League of Nations present at the Assembly with this offer, asking them, to make, if possible before the end of the Assembly, an announcement regarding the assistance which their respective Governments will be ready to give. The Assembly hopes that the Members of the League of Nations will be able to respond at an early date.

TEMPORARY EPIDEMIC COMMISSION.

The Assembly, whereas the Temporary Epidemic Commission, of which the funds are provided entirely by voluntary contributions intended for the campaign against epidemics and freely granted by certain States, has undertaken a series of epidemiological enquiries and has established a closer co-operation with the technical administrations, necessary in view of the aim which it pursues; and its activities have been made use of by the Health Organisation for its own requirements;

Whereas, under these circumstances, it does not seem equitable that the cost of this work, in which all the States are interested, should be borne only by certain States, and whereas this expenditure should rather be provided for under the ordinary budget of the League; and

Whereas it is not admissible that these sums should be paid out of the contributions made by certain States for the clear and well-defined purpose of the campaign against epidemics properly so-called; and

Whereas, the effective continuation of this work and regard for its best results from the economic point of view renders it desirable that the Temporary Epidemic Commission should continue to be entrusted with it,

Decides that a sum of frs. 50,000 shall be included in the budget of the Health Organisation as a contribution to the Temporary Epidemic Commission.

Resolution
No. 28 (28th
Sept. 1922).

ANNEX VIII.—*Report by the Third Committee on the Reduction of Armaments.*
(Rapporteur : Lord Robert Cecil.)

INTRODUCTION.

The Third Committee of the Assembly has held nine meetings, all of which have been devoted to the discussion of the reduction of armaments. The deliberations of the Committee have been based upon the conclusions presented to it in the Report of the Temporary Mixed Commission appointed by the Council at the suggestion of the First Assembly in order to prepare for submission to the Council reports and proposals for the reduction of armaments. In accordance with the resolution adopted by the Assembly last year, the Council, in March 1922, strengthened the Temporary Mixed Commission by appointing seven additional members with special qualifications for its work. Since the last Assembly the Temporary Mixed Commission has held three meetings, and on all the matters with which it has dealt considerable progress has been made. On some of them definite conclusions have been reached and are recommended for adoption by the Assembly. On others, general principles have been laid down and the lines indicated on which the Commission hopes that it may be able, in a not too-distant future, to present concrete plans for the consideration of the Council and the Assembly.

The progress in its task has brought the Third Committee to the opinion that it is most desirable that the Council should reappoint the Temporary Mixed Commission for another year. The Committee, moreover, is of opinion that it is imperative that the proposals of the Temporary Mixed Commission should be submitted at a date previous to that of the next Assembly sufficiently early to enable it to discuss with profit so complex and important a problem. In making this proposal, the Third Committee wishes also to suggest that it is desirable that the Commission should be brought into closer touch with the views of the Governments of the Members of the League. It does not suggest that Government representatives should be added to the Commission, but it considers that the Council might usefully invite the Members of the League to ensure the closest co-operation between their military departments and the Temporary Mixed Commission in order that authoritative information, opinions, and even criticism may facilitate its work.

The Third Committee considers that it is particularly important that the Governments should be asked to submit observations which they might desire to urge, and in particular to put forward any suggestions which they may have to offer with regard to the principles of the reduction of land armaments formulated by the Commission, and with regard to the scheme for a Treaty of Mutual Guarantee, which is discussed hereafter.

The Third Committee therefore recommends the following resolution for adoption by the Assembly :—

It is desirable that the Temporary Mixed Commission should be asked to continue for another year the work which it has begun, and that its report be submitted at an early date previous to that of the next Assembly. The Assembly further requests the Council to invite the Members of the League to lend their assistance to the Commission in its difficult task, and to give their assistance and advice with regard to proposals for reduction of land armaments and a Treaty of Mutual Guarantee.

The Third Committee desires to express its sense of the great value of the collaboration that has existed between the Temporary Mixed Commission and the Permanent Advisory Committee, and it trusts that it will continue and, if possible, increase. It is of opinion that the great technical competence of the Permanent Advisory Commission cannot but be of essential service in the questions in which the Temporary Mixed Commission has been engaged.

I.—VARIOUS.

1.—*The Limitation of National Expenditure on Armaments.*

At its second session the Assembly adopted the following resolution :—

“ Subject to the conditions set out in the recommendations of the First Assembly, the recommendation that Members of the League should undertake not to exceed, for the next two financial years following the present year, the sum total of expenditure on military, naval and air forces provided for in the budget of that year, be again forwarded to the Members of the League, together with a statement showing the replies already received to this recommendation.”

The Council endorsed this Resolution and the Secretary-General forwarded on 17th January 1922 to the Members of the League a copy of the recommendation and a statement of the replies which had been received. In response to this communication, a large number of Governments have sent further answers. In order to make of greater use the valuable information contained in these replies, the Temporary Mixed Commission drew up special tables in which the general conclusions which resulted from them could be more easily reviewed. When it had tabulated the information thus received and had given it due consideration, the Temporary Mixed Commission arrived at the following conclusions :—

- (a) On the whole the estimated defence expenditure for the financial year 1922 (or 1922-23) shows a reduction as compared with the actual expenditure incurred in the two previous financial years.
- (b) In appreciating the significance of this reduction, due consideration must be given, however, to the fact that, since the year 1920, in many of the countries concerned, there has been a falling-off in war charges, owing to the operations connected with demobilisation, and also to the fact that in many countries there has been a considerable decrease in the prices of raw materials.

The Third Committee is in complete agreement with the T.M.C. on this matter and has decided to adopt as its own the above conclusions. It has thought it possible, however, for the Assembly to take a further step in this same direction beyond that which it took in 1921, and accordingly, on the

motion of M. de Jouvenel, delegate for France, and without in any way restricting the scope of the previous recommendations on this subject, it proposes to the Assembly the following Resolution:—

Furthermore, the Assembly recommends that as a preliminary step, the European States existing before the war in 1914, under their present description, whose juridical status has not been modified by the war, and which are not, at the moment, engaged in military operations which justify their armaments, be invited to reduce the total of their military, naval and air expenditure to the figures for 1913, calculated on the basis of pre-war prices according to the method employed by the Temporary Mixed Commission.

2.—*Statistical Enquiry.*

The Third Committee feels it its duty to express its gratitude to the Statistical Sub-Committee of the T.M.C. and to the Secretariat of the League for the manner in which they have carried out the statistical enquiries decided upon by the Assembly at its previous sessions. The results achieved in this direction up to the present time are of great value, and the task of collecting and co-ordinating statistics has been carried through with great ingenuity and care.

As the original programme of the enquiry was thought to imply a comparison between 1913 and 1921, some of these investigations had to be executed on the hypothetical basis of Europe as it would have been had its present geographical frontiers existed before the war. Such investigations would naturally be of no practical value to the further work of the T.M.C. The Third Committee therefore suggests that the statistical investigations of the T.M.C. be continued on the basis of original figures relating to actual conditions as they exist and leaving for the future the question of the method for their elaboration.

It appears from the Report of the T.M.C. that what it now requires is an instruction from the Assembly as to the lines upon which its further work shall be carried out.

The Third Committee believes that these general lines can be found in the original principles on which the statistical enquiry was based.

What is required is an investigation carried out as a first step towards the preparation of a general plan for the reduction of armaments. This plan should be based upon Article 8 of the Covenant, which recognises the primary importance of national security in this matter. As may be clearly seen from the statements received from the different countries, the national security of each depends very largely on the full military strength of other countries. The subject of the statistical enquiry should therefore be this full military strength. It consists of two factors:—

- (1) The actual military strength, which is expressed in the peace-time armaments and the expenditure on national defence;
- (2) The potential military strength, in which an important element is the industrial and economic power of each State, the military importance of which was proved in the last war.

In this respect, therefore, the additions suggested by the T.M.C. to the programme of the economic part of its enquiry would seem to be entirely justified. It is doubtful, however, whether the time has yet come to deal with this latter part of the enquiry, and the Committee, while recognising that it would perhaps be desirable to contemplate a future extension of the statistical investigations in this direction, considers that the statistical enquiry should be limited for the present to the two principal factors by which peace-time military strength is expressed, *i.e.*, armaments and budgets.

The Committee ventures to submit the following proposals for the approval of the Assembly:—

The Committee expresses its satisfaction at the remarkable work accomplished in collecting and drawing up statistical data in an entirely new and peculiarly difficult province.

Taking into account the work accomplished, and reserving the question of the scope it might be necessary to give to a statistical enquiry at a later date, the Committee desires to determine for the coming year the programme which appears to it at the same time immediately useful and practicable. It therefore proposes that this programme should be limited to the two following points:—

- (1) Peace-time armaments;
- (2) Expenditure on armaments;

It would be desirable that the Council should request the Permanent Advisory Commission to collaborate with the Temporary Mixed Commission in that part of the work which deals with technical military, naval and air questions.

3.—*Surplus Stocks of Munitions.*

The Council had invited the Permanent Advisory Commission to examine the question of the destruction of surplus stocks of munitions on account of the technical character of this question.

After a detailed examination of the matter, the Permanent Advisory Commission arrived at the following conclusion:—

“To sum up, the Committee notes that the question has already been settled by the various countries concerned, and that the surplus stocks which undoubtedly existed at the close of the world-war have, during the three-and-a-half years which have elapsed since that date, been destroyed or liquidated, or are in process of liquidation.”

And the Temporary Mixed Commission, having taken cognisance of the said Report, submitted to the Council the following conclusions, which were approved by it on 20th July 1922:—

“The Temporary Mixed Commission took note of the report of the Permanent Advisory Commission and of the satisfactory measures taken by the various States for the liquidation of these stocks. This first question has been settled in accordance with the desire of the Second Assembly.”

Nevertheless, it should be observed that the Permanent Advisory Commission had rightly pointed out that the danger which might arise from the possible existence of stocks of munitions and war material would be really due not so much to the fact that this material existed in the hands of responsible

Governments as to its circulation without control in the world at large. Hence the necessity of arriving at some measure of control of the traffic in arms. Owing to these considerations, the Third Committee recommends to the Assembly the adoption of the following resolution:—

The Assembly, having considered the Report of the Temporary Mixed Commission, is of opinion that there is no step which could usefully be taken in connection with surplus stocks of arms and munitions except by means of the control of the international traffic in arms.

4.—*Private Manufacture.*

The Assembly, at its session in 1921, took into consideration an elaborate report on the subject of private manufacture of armaments prepared by the Temporary Mixed Commission. This report set out the evils alleged to result from the private manufacture of armaments and made certain suggestions of a general nature as to how these evils might be dealt with. The Temporary Mixed Commission did not at that time put forward any general conclusion as to the desirability or possibility of prohibiting altogether private manufacture. They pointed out, however, the great difficulties of absolute prohibition, and suggested that it might be more practicable to secure a strict control of private manufacture without proceeding to absolute abolition. The Temporary Mixed Commission also proposed that a conference should be called to draw up an international convention on the subject, and that it should itself be charged with the duty of preparing a draft convention for the consideration of this conference. They added that the conference, to be successful, must necessarily include States not Members of the League.

The Temporary Mixed Commission further pointed out that, whatever might be done regarding the prohibition or control of private manufacture, an important step in securing the effective abolition of the evils resulting from private manufacture lay in establishing a strict control over, and securing strict publicity for, the international traffic in arms. They therefore urged that the Arms Traffic Convention of St. Germain should be brought into effect at the earliest possible moment.

Since the last Assembly, however, the St. Germain Convention has not been brought into force. Moreover, the Temporary Mixed Commission found more difficulty in working out a draft Convention than had been anticipated. The Council, therefore, did not summon the international conference which had been suggested.

At its last session, this year, the Temporary Mixed Commission adopted a definite proposal for the control of private companies engaged in the manufacture of arms and suggested that this proposal might serve as the basis for the labours of the conference which had been proposed. The Third Committee shares the view of the Temporary Mixed Commission and suggests that the Temporary Mixed Commission should elaborate the proposal which it has adopted in the form of a draft convention, and that at the appropriate moment the Council should summon an international conference for its consideration. Since, however, it is desirable that this conference should also deal with the subject of the arms traffic, it is evident that it cannot be summoned until a definite programme of action in connection with the arms traffic has been agreed upon. The Assembly, therefore, can do no more than invite the Council to summon the conference at the moment that it shall judge opportune; and the Third Committee accordingly proposes the following Resolution:—

The Assembly, having noted the proposal of the Temporary Mixed Commission for an international agreement for the control of the manufacture of arms by private companies, urges on the Council to consider the advisability of summoning at an appropriate moment a conference of the Members of the League to embody this agreement in the form of a convention. The Assembly is further of the view that States not Members of the League should be invited to participate in this conference and to co-operate in the policy on which it may agree.

5.—*Arms Traffic.*

1. The international traffic in arms has long been the subject of consideration by Governments. As long ago as 1887, a treaty on the matter was agreed to by a number of Powers. The subject was discussed at the Peace Conference in Paris and a new treaty to replace that of 1887 was drawn up and signed by the Powers who took part in the Conference.

Since then it has been the subject of consideration by the Permanent Advisory Commission and the Temporary Mixed Commission, as well as by the Assembly of the League at both its previous meetings and on a number of occasions by the Council. On all those occasions it has been agreed that it is pre-eminently in the interest of civilisation that the international traffic in arms should be subjected to control by international action.

It is unnecessary to elaborate the reasons for this opinion. Every Member of the Assembly is doubtless aware of the grave and sordid scandals connected with the trade in arms.

2. The Arms Traffic Convention which was signed at St. Germain in September 1919 was intended to fulfil the two following purposes:—

(a) To prevent the importation of arms, except under the strictest possible control, to certain defined areas inhabited by backward peoples. The purpose of this part of the Treaty is evident. The task of preventing bloodshed in great parts of Africa and in the countries which border the Red Sea is rendered far more difficult if the inhabitants have access to unlimited quantities of arms and munitions. It was felt to be especially desirable to bring this part of the Treaty quickly into effect in order to prevent dissemination to these parts of the world of the surplus stocks left over from the war.

(b) To secure by a system of licensing full publicity for all international traffic in arms. The parties to the Convention undertook not to allow the export of arms from their territories except with a licence from the Government authorities, which should indicate the quantities the export of which was allowed, and the destination to which they were sent.

The Treaty further provided that copies of these licences should immediately be forwarded to a central office to be established under the League, and that they should be published. It was believed that, by securing in this way the fullest publicity for traffic in arms, something at least would be done to get rid of the evils attendant upon it.

The Convention of St. Germain was drafted on the assumption that it would be universally accepted by the Governments of all countries. While, of course, it is essential to secure the co-operation of

countries which produce arms and munitions, it is nevertheless desirable that every country, whether it produces arms or not, should be a party to such a Convention.

3. When the St. Germain Convention was signed, the principal parties to it also agreed to a supplementary protocol to the effect that they would bring its provisions into immediate effect without waiting for formal ratification. This protocol, unfortunately, was not acted upon, except by a few of the principal signatories and in respect only of the defined backward areas mentioned above. Since then, great efforts have been made to bring into force the Convention. At both meetings of the Assembly of the League very strong resolutions were agreed to urging the Governments of Members of the League and of States outside the League to ratify the Convention or to adhere to it as the case might be. The Council of the League has addressed a number of letters to the Governments inviting them to act in accordance with these Assembly Resolutions. In reply to these letters, 34 Governments have, up to the present, expressed their views on the subject. Of these, 11 Governments have actually ratified the Convention and four others have expressed their willingness to adhere to it. The remainder, including all the principal signatories, except the United States of America, and also the other States which produce arms and munitions, have expressed their willingness to ratify the Convention when all the other producing States are ready to do so. Germany and Austria, which used to be great producers of arms, are bound under the provisions of the Peace Treaty by the St. Germain Convention.

It therefore appeared that, as the result of three years of continuous effort, the Council and the Assembly of the League might have had reason to hope that the Convention of St. Germain would be generally brought into effect without undue delay. On 28th July 1922, however, the Department of State of the United States Government addressed a communication to the Secretary-General in which it informed him that the United States Government found itself unable to approve the provisions of the Convention or to give any assurance of its ratification. This reply put an end to the hopes that the Convention of St. Germain in its present form would receive general acceptance.

4. As has already been said, it is most desirable that some treaty should be universally accepted for the control of the international trade in arms, and that all civilised countries should co-operate in a common policy of regulation.

Whether that can be done, however, depends on the attitude of the United States of America. It is important, therefore, that the Members of the League should endeavour in every way to meet the views of the United States Government and to secure their co-operation in a common policy. Since, in the letter addressed to the Secretary-General on 28th July, the Department of State says that "The Government of the United States is in cordial sympathy with efforts to restrict traffic in arms and munitions of war" and that "It is desirous to co-operate for the purpose of suitably controlling the traffic," there is good ground for hoping that some arrangement for common action on the part of the Members of the League and of the United States may yet be arrived at.

The Committee therefore proposes that the Assembly should pass the following resolutions:—

(1) That it is highly desirable that the Government of the United States should express the objections which it has to formulate against the provisions of the Convention of St. Germain, and any proposals which it may care to make as to the way in which these objections can be overcome.

(2) That the Temporary Mixed Commission should be instructed to prepare a plan for the control of the international trade in arms, which can be considered by the Conference which is to deal with private manufacture of arms.

(3) That the Assembly requests the Council to take such steps as it thinks advisable to carry out the purposes above indicated.

6.—*Chemical Warfare.*

The Assembly, at its last session, suggested that the Temporary Mixed Commission should make enquiries as to whether any useful purpose could be served by inviting the scientists of the world to publish their discoveries in the realm of chemical warfare. It was believed that this proposal, if carried out, might minimise the danger that chemical discoveries would be utilised for aggressive attack.

The Temporary Mixed Commission, however, after careful enquiry, came to the conclusion that such an invitation as had been suggested could serve no useful purpose. They also agreed that, although conventions forbidding the use of gas in time of war might have great moral value, yet no treaty stipulation could certainly prevent secret preparation for chemical warfare. There is only too much reason to fear, after the experience of the late war, that any country fighting for its life will avail itself of whatever weapon it may find it possible to use effectively. It is, therefore, necessary, however unfortunate it may be, to anticipate that if another war breaks out chemical weapons will be used.

The Committee is deeply impressed with the terrible nature of the results which would follow from such use. Great development has already occurred since the termination of hostilities in chemical discoveries for use in war. The progress in the manufacture of bombs for use in aircraft has been no less remarkable. The largest bomb used in the war was insignificant in its effect compared with bombs which could and would be used in any war which might now break out.

The Committee considers that it is vital that the peoples of the whole world should understand the issue which they have to face, and with this object the Temporary Mixed Commission agreed to appoint a small committee to study the development of chemical warfare and to prepare a report upon its probable effects in any future war. The Committee is of opinion that the Temporary Mixed Commission were well advised in taking this action, and it considers that the Report of the Committee when it is completed should receive the greatest possible publicity. It therefore recommends the following Resolution:—

The Assembly, having considered the Report of the Temporary Mixed Commission on the subject of the development of chemical warfare, approves its action in establishing a special Sub-Committee to report on its probable effects in any future war, and urges upon the Council and the Temporary Mixed Commission that every measure should be taken to secure the fullest publicity for its report.

The Third Committee also took into consideration two proposals put forward for the control of the use of poison gas in time of war. The first proposal, by M. Urrutia, delegate of Colombia, was to the effect that the Temporary Mixed Commission should be asked to consider the advisability of drawing up a treaty for signature by the Members of the League at the Fourth Assembly for the extension to all Powers of the treaty concerning the use of gas in warfare agreed upon at the Washington Conference.

The second proposal, by Sir Mark Sheldon, delegate for Australia, was to the effect that the Assembly should adopt a resolution urging the Governments to adhere to the Washington Convention concerning the use of poison gas and submarines in war.

M. Urrutia, being desirous of obtaining a definite decision, agreed to withdraw his own proposal in favour of that of Sir Mark Sheldon, and the Third Committee adopted the following Resolution:—

The Assembly requests the Council to recommend the Members of the League and other nations to give their adhesion to the Treaty of Washington (6th February 1922) in relation to the use of asphyxiating gas and submarines in war, and other similar matters.

7.—*Statements of Governments on the Requirements of their National Security.*

Article 8 of the Covenant provides that "The Council, taking account of the geographical situation and circumstances of each State, shall formulate plans for the reduction [of armaments] for the consideration and action of the several Governments."

In order that they might be able to take into account the geographical situation and any special circumstances which the Members of the League might wish to put forward as important to their national security, the Council, on the proposal of the Temporary Mixed Commission, addressed an enquiry to the Members of the League inviting them to make statements as to the considerations which they wished to urge in this connection. The purpose of this enquiry was to discover, not only the geographical considerations which affect the defence of various countries, but also the political dangers which the Governments have to take into account, the extent to which the forces they maintain are required for internal purposes and to what extent they are required for defence against the danger of aggression from without. It was believed that the statements made by the Governments in reply to the Council's enquiry would provide material with which the Temporary Mixed Commission could prepare plans for the reduction of armaments.

Up to the present time the Temporary Mixed Commission has received and has taken into consideration statements made by the Governments of 26 Members of the League, including all the greater military Powers. The report of the Temporary Mixed Commission shows that these statements will be of great value in its future work. The statements, for the most part, have dealt adequately with all the considerations enumerated in Article 8 of the Covenant. They show that the forces maintained by the various Governments for the purpose of the maintenance of internal order are relatively very small; that in consequence, the military effort made by the various countries is almost exclusively intended as defence against aggression from without; and that the dangers of such aggression result from political situations in which it may be hoped that the action of the League will be of value.

It is evidently desirable that the other Members of the League which have not as yet found it possible to send in statements in reply to the enquiries made by the Council should do so without delay.

The Third Committee accordingly recommends the following Resolution for adoption by the Assembly:—

The Assembly, having considered the answers which have been made by the Governments of 26 Members of the League to the enquiry as to the requirements of national security issued to them by the Council, desires to express its opinion of the high value of those replies as affording a basis for the further deliberations of the Temporary Mixed Commission, and recommends to the Council that it should once again urge the Members of the League which have not yet sent in their replies to do so without delay.

8.—*Exchange of Information.*

The Temporary Mixed Commission, in its report, points out that the statements made by the various Governments in reply to the enquiry of the Council constitute, in fact, an interchange of information not unlike that which the Members of the League undertook to carry out in accordance with the last paragraph of Article 8 of the Covenant.

The question was submitted to the Council by the Permanent Advisory Commission two years ago. In the opinion of the Third Committee, it is most desirable that the complete interchange of information contemplated by Article 8 of the Covenant should take place, and it therefore recommends for adoption the following resolution:—

The Assembly approves the recommendation of the Temporary Mixed Commission that the Council should consider whether the time has not come to discuss the application of the paragraph of Article 8 of the Covenant relating to the exchange of military information between States Members of the League.

9.—*Washington Conference.*

The Report of the Temporary Mixed Commission rightly points out that, despite the great political difficulties from which the world is at present suffering, the spirit of international co-operation aiming at peace which inspires the League of Nations can also be observed at work in other places. The T.M.C. sees two examples of this spirit in the Conference which took place at Washington during last autumn, and the Pan-American Congress which will take place in Santiago during the coming spring.

At the suggestion of the T.M.C., the Second Assembly had declared that "no complete scheme of reduction of armaments can be carried out without the co-operation of the United States, Germany and Russia. In particular, the naval strength of the first-named Power makes any scheme of naval disarmament impossible without her support, and it is for that reason, among others, that the Committee warmly welcomes the forthcoming Conference at Washington, and trusts that it may be fruitful in securing a large measure of reduction of armaments."

In its Report to the Council, the T.M.C. expresses "its satisfaction at the work accomplished at Washington in connection with the reduction of naval armaments." The Third Committee is sure that the Assembly will heartily endorse the satisfaction of the Temporary Mixed Commission at the success achieved in Washington in a problem in which it takes so deep an interest.

10.—*Pan-American Conference at Santiago.*

The fact that the question of the reduction of armaments was to be submitted to the coming Pan-American Conference at Santiago was communicated to the T.M.C. by its Chilean Member, M. Rivas-Vicuña.

In its general report, the Commission naturally expressed its interest in this question, on which it adopted the following Resolution:—

• “The Temporary Mixed Commission notes the declarations made at its fourth Session by M. Rivas-Vicuña, on behalf of the Chilean Government, and welcomes with interest the Chilean Government's intention of submitting the question of disarmament to the Pan-American Congress which is to meet at Santiago in March 1923.

“The Commission expresses the hope that the Congress may arrive at practical solutions capable of being fitted into the more general scheme of disarmament which is the subject of the Commission's own labours.”

This subject was raised during the debates of the Third Committee in connection with the proposed extension of the principles of the Washington Treaty to the non-signatory Powers, and M. Rivas-Vicuña expressed the opinion that “the co-operation of the technical organisations of the League of Nations and of those which contributed to the Washington Conference would be of inestimable value for the work of the Santiago Conference.”

The Third Committee decided to adopt as its own the above resolution taken on the matter by the Temporary Mixed Commission.

II.—REDUCTION OF NAVAL ARMAMENTS.

The Third Committee has considered the recommendations made by the Temporary Mixed Commission for the extension to other Powers of the principles of the Washington Treaty for the limitation of naval armaments agreed to by the United States, the British Empire, France, Italy and Japan. This part of the Report of the Temporary Mixed Commission has given peculiar satisfaction to the members of the Third Committee, because it contains a definite recommendation for practical action, which the Committee trusts may be realised without great delay.

The Temporary Mixed Commission forwarded to the Council and the Assembly a draft treaty on the subject, which had been drawn up by the Naval Sub-Commission of the Permanent Advisory Commission. This treaty is modelled very closely on that agreed to by the Washington Conference, and provides for the limitation of the total tonnage in capital ships and aircraft carriers to be maintained by the various Powers, and also for the limitation of the size and armament of capital ships and other craft. As proposed in the report of the Naval Sub-Commission which accompanied the draft treaty, it would provide a “naval holiday” for 10 years. The Temporary Mixed Commission proposes that a conference should be summoned at an early date to draw up a definite treaty, and suggests that this draft might serve as a basis for the deliberations of this Conference. It also proposes that all States, whether Members of the League or not, should be invited to participate in this Conference.

The Third Committee is entirely in agreement with the Temporary Mixed Commission in thinking it desirable that a Conference should be summoned at an early date and that all States, whether Members of the League or not, should be invited to take part. It considers, however, that a certain elasticity with regard to the programme for this Conference should be allowed, and that it should be made quite clear that the Conference would not be in any way bound by the draft treaty, but that, on the contrary, it should be free to take into consideration the special circumstances in any country, and, in particular, the special circumstances of new States which as yet have no navies. While agreeing to this view, however, the Third Committee feels strongly the great desirability of securing immediate limitation of the naval forces maintained by all countries, in order that the peoples of the world may be spared the economic burden which would be laid upon them by increases in the total tonnage or in the size of warships maintained by their Governments. The Third Committee therefore recommends for the adoption of the Assembly the following Resolution:—

(a) That an International Conference should be summoned by the Council as soon as possible to which all States, whether Members of the League or not, should be invited, with a view to considering the extension of the principles of the Washington Treaty for the limitation of naval armaments to all non-signatory States, it being understood that any special cases, including that of the new States, shall be given due consideration at the Conference;

(b) That the Report of the Temporary Mixed Commission, together with the Report and the Draft Convention prepared by the Permanent Advisory Commission, as well as the text of the Washington Treaty, should be forwarded immediately to the various Governments for consideration.

III.—REDUCTION OF LAND AND AIR ARMAMENTS.

In its consideration of a plan for the reduction of land armaments, the Temporary Mixed Commission began its deliberations on the basis of resolutions laid before it by Lord Esher. These resolutions, which included a proposal for a definite scale of reduction of peace effectives to be adopted by the various Governments of Europe, was subjected to very careful examination by the Temporary Mixed Commission and by a sub-committee which they appointed, as well as by the Permanent Advisory Commission at the request of the Council. The sub-committee and the Commission itself came to the conclusion, which was also that of the Permanent Advisory Commission, that, in the actual form in which they were put forward, Lord Esher's proposals could not be recommended for adoption. In their study of them, however, the Temporary Mixed Commission arrived at certain general principles with regard to the reduction of land armaments, on the basis of which they believe that a satisfactory plan could be worked out.

The Third Committee has considered the principles laid down by the Temporary Mixed Commission and has given them its general approval, without entering into a detailed examination of how they can be utilised in the framing of a definite treaty of reduction, a point on which there were different opinions within the Commission. It is, however, of opinion that these principles constitute a considerable beginning towards the task of preparing such a treaty, and it considers that the Temporary Mixed Commission should be instructed to press forward without delay its investigations on this subject. It believes that the Temporary Mixed Commission should work out its principles in more detail, should elaborate the method by which they can be applied in the framing of an agreement for reduction, and should then formulate as definitely as possible a scheme founded on these principles. As has been said above, the co-operation of the Ministries of War of the various Members of the League may be of particular importance in this part of the work of the Temporary Mixed Commission, and the Third Committee is confident that the Members of the League will lend their full assistance in this respect.

It recommends for the adoption of the Assembly the following Resolution :—

The Assembly, having examined the Report of the Temporary Mixed Commission on the general principles of land and air disarmament, instructs the Commission to continue its investigations on the basis of these principles, with a view to preparing for the consideration of the next Assembly a definite scheme for the general reduction of land armaments.

IV.—TREATY OF MUTUAL GUARANTEE.

The Temporary Mixed Commission, in its Report, set forth the view that, to render possible the reduction of land armaments, certain political conditions must be fulfilled. In the opinion of the Temporary Mixed Commission the first of these conditions is the provision by a Treaty of Mutual Guarantee of that confidence and sense of security without which many Governments will not take the responsibility of reducing their means of defence. This conclusion the Temporary Mixed Commission put forward in four resolutions which it adopted. These resolutions are founded on the principle that the reduction of armaments, to be fully successful, must be general. With this principle the Third Committee is in general agreement, although, as appears from Part V. of this Report, it does not exclude the possibility that, in some parts of the world, the geographical situation of certain groups of Powers might enable them to agree among themselves to a separate regional arrangement for reduction.

From the principle that the reduction of armaments must be general, the Temporary Mixed Commission passed to a second conclusion—that many Governments cannot, in the present condition of the world, take the responsibility of reducing their means of defence unless they receive in exchange some guarantee of security against attack from without. Unless they receive such a guarantee, the Governments will consider it their essential duty to put forth their maximum national effort in preparation for the defence of their territory. The Temporary Mixed Commission urges that, if the Governments are to be induced to make less than their maximum national effort, they must be given some assurance that their people will not thereby incur a greater danger of invasion.

The T.M.C. suggests that such an assurance could be given to the Governments by a Treaty of Mutual Defensive Guarantee. Under such a Treaty every signatory would undertake to assist by economic and military action any other signatory that might be the victim of aggressive attack. The Commission in its report points out that the essential object of such a Treaty of Mutual Defence would be to give every State that reduced its armaments at least as great a security as it could have by its own unaided efforts if its armaments were not reduced. But it also points out that, if it came into being and were generally accepted, such a Treaty of Mutual Defence would in fact almost certainly ensure that an aggressor State could have no chance of victory; that it would not be able to present the League with a *fait accompli* achieved by violence, and that in all probability it would be immediately overwhelmed by the united forces brought against it by the guarantor States.

The Third Committee is in agreement with the views thus put forward by the Temporary Mixed Commission. It further agrees that such a Treaty of Mutual Guarantee, to be effective, must be open to every State in the world. It considers that such a Treaty cannot usefully come into being until a considerable number of States have ratified it. It thinks it highly desirable that these ratifying States should include nearly all, if not all, the greater military Powers, and it considers it probable that any attempt to bring such a Treaty into being except on these conditions might result in a re-creation of the pre-war system of group alliances. It also holds the view, however, that the Treaty need not be universally accepted before it can come into effect, and it therefore proposes that the Temporary Mixed Commission should be instructed to study this aspect of the matter and to formulate views as to the conditions upon which such a Treaty can usefully be brought into force.

The purpose of such a Treaty of Mutual Guarantee is, however, merely to render possible the reduction of armaments, and in this connection its efficacy will evidently depend in a great measure on the number of States that participate in the Treaty. It is evident that the greater the number of States that participate the more effective will be the guarantee and the greater the reduction of armaments which will be rendered possible. But on this point again the Committee feels that it is not possible for it to formulate any definite views as to the actual stages by means of which the reduction of armaments can be brought about. It therefore proposes that this intricate matter, together with that of the bringing into force of the Treaty of Mutual Guarantee, should be referred to the Temporary Mixed Commission for its investigation and report.

The Committee, however, has felt able to accept the broad general principle that the Treaty of Guarantee and the Reduction of Armaments are the two essential parts of one policy, and that as far as is possible they must be brought into effect at the same time. The Reduction of Armaments, in that line of thought, must depend on the Guarantee, and the Guarantee must equally depend upon the Reduction of Armaments. On this basis the Temporary Mixed Commission is asked to work out the process and machinery by means of which the two measures can come into force together.

The Third Committee felt that it is of great importance that, in carrying out this further work on these difficult questions, the Temporary Mixed Commission should have the advantage of knowing the views of the Governments of the Members of the League. While proposing therefore that the Commission should be instructed to draw up its proposal in the concrete form of a draft treaty, the Third Committee also recommends that the Governments should be invited to transmit to the Council their observations on the subject. Here again, as in connection with the elaboration of a scheme for reduction of land armaments, it is evident that the Governments of the Members of the League can render the Council and the Temporary Mixed Commission great service.

In the meantime, however, the Temporary Mixed Commission has already done admirable work in a preliminary investigation of the practical steps by means of which such a Treaty of Mutual Guarantee can be made effective, and in its report it has laid down general principles upon which it believes such a Treaty must be drawn up. In doing this, its purpose has rightly been to show that such a guarantee as is proposed could be made of immediate military assistance to any State that was attacked. To this end it has pointed out that it is essential to find a method of solving the two main problems :—

First, when an outbreak of war has occurred, to determine with the briefest possible delay which State is the aggressor.

Second, to devise the machinery by means of which mutual military aid can be brought without the delay which might prove fatal to the State which is attacked.

With regard to the first of these problems, the Temporary Mixed Commission proposes that the Council of the League should decide, if necessary, by a three-quarters majority, which State is the aggressor, and should be obliged to do so within a period of not more than four days. It suggests that a simple and effective test would be to lay down that that State is the aggressor which has deliberately violated the territory of another, and that for determining this the Council might send an expert commission to the spot to enquire into the facts of the situation. It may be, however, that further investigation will show that a better test of aggression might be devised.

For the second purpose, namely, that of securing that the military aid which is brought shall arrive without the delay which might prove fatal, the Temporary Mixed Commission has made further proposals as to the lines upon which military collaboration between the State which is attacked and the other guarantor States might be carried out. It also suggests that, in addition to the various forms of economic pressure which are provided for in the Covenant and which can be readily applied, certain armed forces, such as aircraft and warships, are rapidly available and are very likely to be effective in the initial stages of a war.

The Third Committee has not thought it possible to examine these proposals in detail, and it cannot therefore form any final judgment upon them. But it thinks it right to make a general expression of its sense of the value of the work which the Temporary Mixed Commission has done and of the suggestions which it has made, and to ask it to continue to work out in more detail for next year's Assembly the principles which it has put forward.

The Third Committee is confident that, if such a plan for a Treaty of Mutual Guarantee as is proposed can be successfully carried through, it will do much to create that sense of security which will enable the reduction of armaments to be carried out. This is the whole purpose of the proposals made by the Temporary Mixed Commission. But the Committee feels it necessary to point out with great emphasis that the acceptance of these principles means the recognition of the fact that, to secure the benefits of a general reduction of armaments, Governments must be prepared in case of necessity to act up to them. This the Third Committee believes the Governments of the Members of the League are ready to do, provided they are certain that in doing so they will secure the great end which they have in view. In this belief the Third Committee proposes to the Assembly the adoption of the following Resolutions:—

The Assembly, having considered the Report of the Temporary Mixed Commission on the question of a General Treaty of Mutual Guarantee; being of opinion that this Report could in no way affect the complete validity of all the Treaties of Peace or other schemes which are known to exist between States; and that this Report contains valuable suggestions as to the methods by which a Treaty of Mutual Guarantee could be made effective, approves the following Resolutions:—

(1) No scheme for the reduction of armaments, within the meaning of Article 8 of the Covenant, can be fully successful unless it is general.

(2) In the present state of the world many Governments would be unable to accept the responsibility for a serious reduction of armaments unless they received in exchange a satisfactory guarantee of the safety of their countries.

(3) Such a guarantee can be found in a defensive agreement which should be open to all countries, binding them to provide immediate and effective assistance in accordance with a pre-arranged plan in the event of one of them being attacked, provided that the obligation to render assistance to a country attacked shall be limited in principle to those countries situated in the same part of the globe. In cases, however, where, for historical, geographical, or other reasons, a country is in special danger of attack, detailed arrangements should be made for its defence in accordance with the above-mentioned plan.

(4) As a general reduction of armaments is the object of the preceding resolutions, and the Treaty of Mutual Guarantee the means of achieving that object, previous consent to this reduction is therefore the first condition for the Treaty.

This reduction should be carried out either by means of a general Treaty, which is the most desirable plan, or by means of partial treaties designed to be extended and open to all countries.

In the former case, the Treaty will carry with it a general reduction of armaments. In the latter case, the reduction should be proportionate to the guarantees afforded by the Treaty.

The Council of the League, after having taken the advice of the Temporary Mixed Commission, which will examine how each of these two systems could be carried out, will further formulate the plan on which the Governments will be invited to express their views and to give an independent decision for the machinery, at the same time political and military, necessary to bring them clearly into effect.

The Assembly requests the Council to submit to the various Governments the above proposals for their observation, and requests the Temporary Mixed Commission to continue its investigations, and, in order to give precision to the above resolutions, to prepare a draft Treaty embodying the principles contained in them.

V.—REGIONAL AGREEMENTS FOR THE REDUCTION OF ARMAMENTS.

In the previous sections of this Report, the Third Committee has considered the problem of the reduction of armaments as being a matter which must be carried out by general conventions entered into by all the States which are Members of the League, and dealing with, in the first place, naval armaments, and, in the second place, land and aerial armaments.

The Committee is nevertheless of the view that, in certain parts of the world, the geographical and political conditions are such that the States which are situated there may be able with advantage and without sacrifice of security to go further in the direction of reduction, either on sea or on land, than can be achieved by other States less fortunately situated. For this reason it considers that the Temporary Mixed Commission should be instructed to investigate the possibilities of progress in this direction, and it therefore recommends to the Assembly the adoption of the following Resolution:—

The Assembly of the League of Nations,

Whilst declaring that the reduction of armaments contemplated by Article 8 of the Covenant cannot achieve its full effect for world-peace unless it be general,

Desires to emphasise the importance of regional agreements for the purpose of reducing armaments—agreements which, if necessary, might even go beyond the measures decided upon in respect of general reduction;

And requests the Council to ask the Temporary Mixed Commission to take into consideration during its subsequent work, the possibility of recommending the conclusion of similar agreements to States which might be concerned.

VI.—GENERAL CONCLUSIONS.

The Temporary Mixed Commission has in its Report explained at length the difficulties which it has encountered in working out a practical scheme for the reduction of armaments, and it has indicated the lines on which it hopes a solution of them may be found.

But the Third Committee is of opinion that, in spite of the great economic pressure which every Government feels and which operates in favour of reduction of armaments, the political and economic condition of Europe is so precarious that no general scheme for reduction of the means of defence would at the present time be accepted. It is not only that the Governments of many countries are preoccupied by the imminence of great catastrophes with incalculable consequences. Apart from these menacing dangers, the general economic situation is such that the world is kept in a condition of suspicion and unrest incompatible with real peace. Without peace, without moral disarmament, plans for the reduction of material armaments are vain.

Anyone who seeks to reduce armaments, therefore, must proceed to the further question: What are the causes that are paralysing the machinery of international commerce and exchange and producing economic and political unrest? The answer is well known. Beyond a doubt, the cause that is of overwhelming importance is the intergovernmental indebtedness which is embarrassing the Governments of all the greater States of Europe.

These intergovernmental debts, whether they take the form of reparation obligations, of relief credits or of the debts contracted between the Allies in the Great War, constitute an obstacle which must be removed before the economic life of Europe can be re-established. Until measures have been taken to this end, there can be no hope that the fall of the exchanges can be checked and international commerce can again flourish. The Financial Committee of the League has expressed itself as follows: "It is our firm conviction that it is hopeless to expect the economic welfare of the world to be restored until the problem of intergovernmental indebtedness has been solved in a sober and practical manner." And the Third Committee believes it may be taken as generally accepted that the machinery of exchange of products, by means of which European nations have always lived, cannot be reinstated until this problem has been satisfactorily settled.

The Third Committee is of opinion that action on this matter should be taken as soon as possible. It may be that a full solution cannot be hoped for without the assistance of the United States. But that is no reason for doing nothing until that assistance is forthcoming. With the collaboration of European Governments and those outside Europe which are, as we are happy to know, ready to help, much may be done; and if so, it should be done without delay. For all competent observers agree that the time within which Europe can find financial salvation and thus avert the disasters that are impending is now short.

The Committee does not feel it within its province to propose more precisely the measures that are required nor the part which the League of Nations might usefully be called upon to take in finding a solution. They feel it their duty to urge the pressing necessity for action and to repeat once more that, until the financial difficulties of Europe are settled, there can be no return of political confidence and stability; and without these conditions there can be none of that moral disarmament upon which any scheme for the reduction of material armaments must depend for its success. It therefore proposes the following resolution:

The Assembly,

Considering that moral disarmament is an essential preliminary condition of material disarmament, and that this moral disarmament can only be achieved in an atmosphere of mutual confidence and security;

Declares:

That such confidence cannot be attained so long as the world continues to suffer from disorganisation of the exchanges, economic chaos and unemployment, and that the only method of remedying these evils is to put an end to the uncertainty which prevails regarding the means for the restoration of the devastated regions and the settlement of the inter-Allied debts;

Expresses the hope that, in so far as these questions can be regulated by the unaided efforts of the European nations, the Governments signatories of the international treaties and agreements which deal with these questions, and within the framework of which they must be envisaged, will achieve as soon as possible a general settlement of the problem of reparations and inter-Allied debts;

And it further recommends:

That the Council shall devote constant attention to every effort made in this direction by the Governments concerned, it being understood that it can only usefully assist in the solution of these problems if requested to do so by the Governments in question.

ANNEX IX.—Report on the Audited Accounts of the Third Fiscal Period (1921), the Budget for the Fifth Fiscal Period (1923), the Reports of the Commission of Control, and miscellaneous Financial Questions, presented to the Third Assembly by its Fourth Committee. (Rapporteur: His Excellency M. Minéitcirô Adatci.)

As the Fourth Committee had a particularly heavy agenda, it decided to divide its work among three *Rapporteurs*. Two of its members have been requested to submit to the Assembly the conclusions adopted by the Committee with regard to the financial regulations and the financial situation of the League in respect of arrears of contributions, whilst the Budget, the audited accounts and certain other kindred questions are dealt with in the present report.

The Committee fully realised the importance of its task, and has devoted 17 long meetings to the study of the very complex questions on its agenda. In order to terminate its work in time, it has been obliged to hold several night sittings, and in order to expedite its work it appointed two sub-committees, which have also worked very hard. The Committee wishes to take this occasion to express to the Secretariat its thanks for its collaboration.

Having drawn up its final agenda, the Committee proceeded to examine in detail the various questions which it had been asked to consider. These questions may be divided as follows:—

- I.—Audited Accounts, Reports of the Commission of Control, and Budget;
- II.—Miscellaneous Questions.

I.—AUDITED ACCOUNTS, REPORTS OF THE COMMISSION OF CONTROL, AND BUDGET.

(a) Audited Accounts for the Third Fiscal Period (1921).

In accordance with Article 8 of the Assembly's recommendation dated 17th December 1920, the Council, by a Resolution dated 10th January 1922, requested the Netherlands Government to take charge of the auditing of the accounts for the third fiscal period (1921). The Netherlands Government appointed M. Zuyderhoff, Member of its auditing department, to undertake this work, and M. C. V. A. Aarsse and M. J. H. Bruyn, respectively Director and Clerk of the auditing department, to assist him. These officials carried out, between 24th March and 1st April, the auditing of the accounts of the International Labour Office, and between 3rd April and 26th April, those of the Secretariat. M. Zuyderhoff approved the accounts of both organisations, subject to three reservations which appeared in his report.

Before entering upon a detailed discussion of the audited accounts, the Committee considered it advisable to ask M. Zuyderhoff to give them some general explanations. After paying a warm tribute to the financial administration of the Secretariat and that of the International Labour Office, M. Zuyderhoff stated that the few clerical errors which he had discovered in the accounts did not in any way prejudice the League of Nations. He pointed out in particular that the excess of receipts over expenditure, which according to the accounts amounted on 31st December 1921 to about 7 million gold francs, only existed on paper, in view of the fact that at that date the unpaid contributions amounted to 7,431,225 gold francs, the cash excess amounting actually to 67,682 gold francs.

M. Zuyderhoff stated that the majority of the proposals which he had submitted had been accepted or were now being carried out.

The general discussion which took place after the statement of the auditor referred chiefly to two items—recoverable expenses and unforeseen expenditure subject to the preliminary approval of the Council. The discussion was resumed at a later meeting (*see* chapter II. (d)).

The Commission was of opinion that it was necessary to set out more explicitly the decisions of the Council involving expenditure under the heading "Unforeseen Expenditure of the Council." The Commission recommended that in future a document containing extracts of the Minutes and Resolutions adopted by the Council concerning such unforeseen expenditure should be attached to the audited accounts in the form of an Annex.

The Commission proposes to the Assembly the adoption of the following Resolution:—

"The Assembly of the League of Nations finally passes the expenditure and income accounts for the third fiscal period ending 31st December 1921."

(b) Reports of the Commission of Control.

The Fourth Committee, at its first meeting, thanked the Commission of Control for all the work which it had accomplished—work which had greatly facilitated the Committee's task. The Chairman and Committee unanimously expressed to the Chairman and Members of the Commission of Control their sincere thanks for the services which the latter had rendered to the League of Nations.

After listening to a statement by M. Noblemaire, Chairman of the Commission of Control, who alluded to the recommendations of the Committee of Enquiry adopted by the Second Assembly and carried out by the various organisations of the League, and then outlined the work achieved by the Commission, the Fourth Committee decided to proceed immediately to the examination of the Budget, using the Reports of the Commission of Control as a guide and commentary.

At its 16th meeting the Fourth Committee gave further consideration to the reports. It proposes to the Assembly the adoption of the following resolution:—

"The Assembly adopts the First Report of the Commission of Control and the Supplementary Report in so far as its recommendations have not already been acted upon or are not at variance with other specific decisions of the Third Assembly or of its Fourth Committee."

II. 39 of
29th Sept.
p. 3 First
Report.

(c) Budget: General Observations.

The full and detailed examination to which each item in the budgets of the various League organisations was subjected gave rise to fruitful and important discussions, in the course of which much information and explanation was furnished. A detailed report of these discussions will be found in the Minutes of the first 15 meetings held by the Committee, and the amendments to the Budget appear in the Schedule attached thereto. The present Report is accordingly restricted to the general comments made by the Fourth Committee when examining the budgets of the principal organisations of the League.

(d) Budget of the Permanent Court of International Justice.

In view of the fact that the budget of the Permanent Court of International Justice was for the first time submitted by the Court itself, the Committee wishes particularly to point out that this budget, together with the financial administration of the Court, must remain subject to the full and complete control of the Commission of Control and of the Assembly, in accordance with the financial regulations drawn up by the Commission of Control. The Committee, whilst recognising the difficulty for the Court to draw up a very detailed budget after hardly two months' activity, makes the following special recommendations:—

(1) That in future, the details of the Court Budget should be as complete as those of the Budgets of the Secretariat and the International Labour Office. The Budgets of all League Organisations should be drawn up on the same principles.

(2) That, in general, the Court and also all other Organisations of the League should, in their budgetary statements, use more accurate terminology.

(e) Budget of the International Labour Organisation.

The Committee wishes to make the following observations with regard to the International Labour Organisation:—

(1) One of the Members of the Committee remarked that the number of higher officials in the International Labour Office belonging to countries outside Europe, and particularly to the Far East, was not proportionate to the industrial importance of those countries. The same member also drew attention to the fact that the Office did not sufficiently keep in touch with these countries.

(2) It would be desirable that, whenever the International Labour Office has recourse to the Working Capital Fund for recoverable expenditure, it should adopt a procedure similar to that of the Secretariat as regards obtaining its Governing Body's previous consent, &c.

(3) The governmental accountancy system should be adopted by the Labour Office, and it should draw up its Budget in the same manner as the Secretariat. Broadly speaking, it would be expedient in future budgets to group the departments in a more logical order and to give a brief indication of the duties of each department.

(4) Expenses on account of Commissions and for various enquiries should be reduced to the minimum possible, in accordance with the general principles laid down by the Budget Committee of the Governing Body of the International Labour Office at its meeting held in April 1921.

(5) After some discussion, the Fourth Committee decided not to consider the solution of the problem which might arise if the General Labour Conference and the Governing Body of the International Labour Office were to formulate proposals involving expenditure which the Commission of Control and the Assembly were unable to accept.

The Committee is of opinion that the present procedure, under which the expenditure of the International Labour Organisation must be submitted to the Assembly for final approval, has, in the last two years, given the best results, and that there is no occasion to recommend that the Assembly should investigate the question of the competence of either organisation as regards finance. No difficulties are likely to arise if the two organisations continue to show goodwill and mutual confidence as heretofore.

The Committee examined the documents furnished by the International Labour Office, and requested the Director to make a statement upon the work achieved last year, and unanimously agreed as to the striking results obtained.

The work undertaken with a view to securing the ratification of International Labour Conventions, although involving specially great difficulties during the present economic crisis, has, nevertheless, been pursued with success. The Organisation has up to the present date recorded 46 ratifications as compared with 30 last year—an increase of 16 for the year 1922.

Legislation for the protection of the working classes, which is based upon the decisions of the Conference, but which does not always appear in ratified conventions, bears witness in a still more striking manner to the achievements of the Office as regards the general improvement in the conditions of labour.

The Office is already rendering the States Members of the Organisation noteworthy and immediate service as an organ of information and documentation, and secures definite economies for all States, provided that they correspond regularly with the International Labour Office, with a view to obtaining all the documentation which they require.

Numerous as the Office's publications are, each one has a clearly defined object, and their scientific value becomes greater day by day.

Finally, and above all, it should be noted that, as a result of the intervention on the part of the Office, as laid down in the Treaty, and the spontaneous requests for intervention made by States Members of the Organisation, the Office plays a part which is, even now, by no means inconsiderable in the work of reconstruction undertaken by the League of Nations.

The final establishment of peace, founded, as the Treaty of Peace says, "upon social justice," may be greatly promoted by the possession of an organisation in which employers and employees, in spite of all social conflicts, may meet for discussion under the same roof, and seek together for equitable solutions of their various problems.

The moral authority and credit of the International Labour Office, so wisely and energetically directed by M. Albert Thomas, will more and more contribute to the success of the work of the League of Nations.

(f) Budget of the Secretariat and of the Special Organisations of the League.

Before considering the Budget of the Secretariat and of the special organisations of the League, the Committee listened with much interest to a statement by the Secretary-General, outlining broadly the intricate and difficult problems raised by the preparation of estimates for an institution such as the League of Nations.

The Committee agreed with the Secretary-General's observations that the League's increased expenditure is mainly due to the new tasks continually thrust upon the Secretariat by the various international Conferences and technical organisations created by the League; each time a question is thus referred to the League, additional expenditure must sooner or later be incurred.

The Committee also considered that, although it is possible to reduce the expenditure of the various national administrations, which have developed enormously during the war, it would be by no means easy to make a similar reduction as regards the Secretariat, inasmuch as the latter's scope is continually being extended. The Committee also realised that the total expenditure finally depends upon the policy pursued by the directing organisations of the League.

Although, in spite of the very full explanations which have been supplied and of the great importance of all proposals which had been submitted to it, the Committee have nevertheless thought it necessary to make certain reductions here and there in the Budget, it has not done so out of narrow-mindedness, nor out of ill-will towards the League or the Secretariat. On the contrary, the Committee believes that the League of Nations largely owes its continued development, in spite of all the attacks made upon it, to the Secretariat and its distinguished head, Sir Eric Drummond, whose untiring devotion is the subject of universal commendation. The Committee wishes to associate itself fully and entirely with the conclusions adopted by the Second Assembly on the Report of the Commission of Enquiry, and desires to place on record its gratitude to the officials of the Secretariat and its admiration for the work they have accomplished.

The Committee was unanimously of opinion that, in view of the present crisis, all possible economies must without fail be realised. From the outset the Committee thought that a clear distinction should be made between absolutely unavoidable expenditure and expenditure which could be postponed to a later date. If the Committee has never swerved from the path which it marked out for itself, it feels sure that it has never in any manner impaired the general interests of the League of Nations, whose development is the surest guarantee of the world's peace.

The Committee feels it should point out that if, in spite of frequent night sittings, the discussion on the Budget was shorter than could have been expected, this is partly due to the conviction that the financial regulations afforded States Members of the League all the requisite safeguards.

The Committee wishes to thank the Commission of Control for this important work.

The Fourth Committee desires to lay special stress upon the following observations:—

1. The Committee expresses its full and entire agreement as to the moral and financial advantages which would be secured to the League of Nations if all its Commissions were to meet at the headquarters of the League. On M. Adatci's proposal, the Committee adopted the following Resolution:—

"The Fourth Committee invites the Assembly to recommend that, in view of the necessity of realising economies in the financial administration of the League, the Council should always hold its sessions at Geneva, except in the case of absolutely exceptional circumstances necessitating a session in some other town."

2. The Committee recommends that the Secretariat should investigate M. Modzewski's proposal that two new categories of officials in the Secretariat should be established, the salaries for these officials to be slightly lower than those of members of Section Class A and B.

In this connection, the Committee took note of the Secretary-General's statement that the contracts of members of the Secretariat included a clause by which salaries will be automatically reduced in proportion to the decrease of the cost of living. Under these circumstances it might hardly seem necessary to create new categories.

3. The Committee recommended that, except in the case of special requests on the part of the Delegations or Governments concerned, documents should in future only be distributed to them in one language. The adoption of this recommendation will result without doubt in a considerable economy.

4. The Committee recommends that in the 1924 Budget the margin estimated for new requirements as to staff be reduced. A certain number of members thought that, in view of the actual strength of the Secretariat on 31st August, the number of posts provided for in the Budget appeared excessive. The Committee took note of the explanation that, on account of the League's financial difficulties, the Secretary-General, for reasons of economy, had not filled up all the posts provided for in the Budget.

5. In agreement with the Secretary-General and the Director of the International Labour Office, the Committee recommends that a committee of experts be appointed to investigate the organisation and administration of the libraries of the two organisations. It thought that this Committee should be instructed to draw up recommendations, bearing in mind both the general requirements of the Secretariat and the International Labour Office and the necessity of securing economies.

6. Upon the proposal of all Delegations of the Central and South American countries, the Committee recommends that the Liaison Office with Central and South America should be established in Geneva and not in America. The adoption of a roster would enable the Republics in Central and South America to be represented by officials of each nation in turn.

7. The Committee authorised the Secretary-General to communicate to those countries which have not yet granted free visas and passports required by the League's officials the earnest hope expressed by members of the Committee that these officials will in future receive more favourable treatment.

In view of the foregoing, the Fourth Committee has the honour to propose to the Assembly the adoption of the following Resolution:—

"The Assembly of the League of Nations, in accordance with Article 4 of the Recommendation adopted by the First Assembly on the administration of the finances of the League of Nations, dated 17th December 1920,

"Approves, for the fiscal period 1923, the general Budget of the League and the Budget for the International Labour Organisation, amounting in all to 24,933,508 francs;

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

II.—MISCELLANEOUS QUESTIONS.

(a) *Offer of two Building Sites by the Swiss Confederation and by the Canton and City of Geneva.*

The Committee recommends the Assembly to accept the offer made to it of the following two sites:—

- (1) The premises adjacent to the Hôtel National, situated on the side nearest to the town, and having an area of 4,493 square metres
- (2) The property situated at 154, Rue de Lausanne, on the shores of the lake, and having an area of 35,845 square metres.

It proposes that the Assembly should tender to the Federal Council and to the Canton and City of Geneva its warmest thanks for this generous offer, which constitutes a further proof of the goodwill of the Swiss authorities towards the League of Nations.

The property situated at 154 Rue de Lausanne appears to meet all the requirements of the International Labour Office, whilst the construction of a large Hall (for Assemblies, General Labour Conferences, &c.), with committee rooms, could be undertaken upon the site situated beside the Secretariat.

The Committee is of opinion that the Council might be invited by the Assembly to take all the measures necessary for the transfer of the ownership of these two sites to the League of Nations. This transfer would involve the preliminary concession to the Canton and to the City of Geneva of the right of option possessed by the League of Nations over the property adjacent to the Secretariat.

During the course of the discussion, certain members of the Committee called attention to the economies which would result from housing the two organisations on adjoining grounds.

Finally, the Committee considers that the erection of a Hall on this site should be given very full consideration, both from a financial and from a technical point of view, and that plans and an exact estimate of costs should be submitted to the States Members of the League of Nations, in order to enable the Fourth Assembly to take whatever decision it may deem expedient.

The Committee recommends to the Assembly the adoption of the following resolution:—

“The Assembly of the League of Nations,

“Having noted the letter from the Swiss Delegation dated 14th September 1922, addressed to the Secretariat of the League of Nations on behalf of the Federal Council and on behalf of the Council of State of the Republic and Canton of Geneva and of the Administrative Council of the City of Geneva, which provides that, subject to the ratification by the constitutional powers both Federal and Genevese, and in order to assist the League to acquire in due time premises suitable for the holding of the Assembly and for use as offices by the International Labour Office, by obtaining possession of land in Geneva suitably placed for their requirements, the following sites are offered as a gift:—

“(1) On the part of the Swiss Confederation, the premises situated at 154, Rue de Lausanne, on the shores of the Lake, and having an area of 35,845 square metres;

“(2) On the part of the Republic and Canton of Geneva and the City of Geneva, the land adjacent to the Secretariat on the side nearest to the city, and having an area of 4,493 square metres,

“Expresses its warm appreciation of the generosity and the goodwill shown towards the League of Nations which inspired these offers, and gives full powers to the Council—

“(1) To accept these offers as soon as they have both been definitely made; and

“(2) To authorise the Secretary-General to act on behalf of the League of Nations to carry out the transfer of the property rights.”

(b) *Accommodation for the International Labour Office.*

The Committee adopted the Report of the Sub-Committee appointed to consider the financial aspect of new accommodation for the International Labour Office.

The Sub-Committee confirmed the views of the Commission of Enquiry, the Sub-Committee of the Second Assembly, and the Commission of Control, as regards the inadequacy of the premises at present occupied by the International Labour Office.

If the premises situated at 154, Rue de Lausanne are placed at the disposal of the League of Nations gratis, the cost of the construction of a building suitable for use as the office of the International Labour Office must be defrayed by the League of Nations. The cost of the building is estimated by the International Labour Office architect at about 3,000,000 Swiss francs, an estimate which the Swiss representative on the Fourth Committee considers reasonable.

In view of the present financial position of the various States Members of the League of Nations, the Committee proposes that the funds required for the building of the proposed premises should be raised by including in the Budget of the League of Nations for five years as from 1926 the sum of 600,000 francs. By that date the premises occupied by the Secretariat will have been completely paid for, and no increase will require to be made in the Capital Account of the General Budget of the League of Nations. This figure of 600,000 francs will, moreover, leave a sufficient margin to enable future Assemblies, if they deem it advisable, to build an Assembly Hall upon the site adjoining the Secretariat.

Pending the inclusion of the necessary sums in the Budget of the League, measures may be taken to raise loans by giving as guarantee a mortgage on the land and premises in course of construction.

As regards the construction of the building, the Committee is of opinion that a competition is desirable, but, in view of the necessity of commencing the work as soon as possible, this competition should be restricted to Swiss architects. An international jury, however, should be constituted to judge the plans sent in for competition. The terms of the competition should state all the conditions with which the building will have to comply. It has been clearly understood that the conditions of the competition must indicate that the building required is one of a practical and simple nature, but in a style worthy of the purpose for which it is intended. Plans sent in for competition must contain an estimate of the cost, which, of necessity, should be as low as possible.

Finally, the Committee proposes to the Assembly that it should recommend that each Member of the League of Nations should contribute to the construction of the building by sending, in agreement with the architect, building material, ornaments and *objets d'art* representing the purest specimens of its national products. These gifts must, of course, be suited to the simple character prescribed for the building itself.

The Committee decided to include in the Budget of the International Labour Office for 1923 the sum of 20,000 francs, to cover the interest on the loans which will have to be contracted in 1923, and a sum of 40,000 francs for the costs of the competition.

(c) *Indemnities payable to National Judges and Technical Assessors of the Permanent Court of International Justice.*

At the request of the First Committee, which had decided the question of principle, the Fourth Committee was instructed to give its opinion on the financial aspect of the resolution, adopted by the

Council at its 19th session, concerning the indemnities payable to National Judges and Technical Assessors of the Permanent Court of International Justice.

The Committee considered that, as the position of National Judges and of Deputy Judges were similar, there was no reason to alter the rate for indemnities granted to them by the Council. On the other hand, the Committee was of opinion that the indemnities proposed for the Technical Assessors were too high, as their work corresponded to that of the Members of the Advisory Committees of the League of Nations. It was unable, therefore, to approve the Council's proposal, and rejected the compromise, proposed by one of the members, reducing the duty allowance to 50 florins per day. After discussion, it decided to recommend that a single indemnity of 50 florins, known as "Daily Subsistence Allowance," should be paid to them. This recommendation was accepted by the First Committee, which further reduced the allowances of the assessors residing at The Hague to 25 florins per day. These various recommendations were adopted by the Assembly on 23rd September.

At the request of the Registrar of the Permanent Court of International Justice, acting on instructions received from the President of the Court, the Committee took note of a communication from the President of the Court to the Acting President of the Council calling attention to the fact that the Council had contemplated the possibility, in certain special cases, of calling upon the interested parties to defray the cost of the Assessors' indemnities, and pointing out that this proposal was perhaps not compatible with the provisions of Article 33 of the Statute of the Court.

(d) *Recoverable Expenditure.*

The Committee is of opinion that in future it would be advisable to charge to the item "Recoverable Expenditure" all expenditure occasioned by enquiries or arbitration proceedings in respect of a single or a limited number of Members of the League, the Council having previously obtained the assurance that this expenditure would be repaid by the interested parties. In this connection, one of the members of the Fourth Committee, drew the Committee's attention to a resolution adopted by the Council at its 19th session, laying down that in future, and on principle, expenditure incurred for special investigations in any one country should be met by the Government of that country. After discussion, the Committee adopted the following resolution:—

"With regard to the decision of the Council, dated 21st July 1922, the Fourth Committee desires to express its full approval of the principle that expenditure incurred for special investigations in the particular interests of one or more Members of the League shall be met by that or those Members of the League."

(e) *Limitation of the Expenditure incurred by the Council.*

The Committee is of the opinion that, in view of the present financial crisis, the expenditure of the League must be restricted within the closest possible limits. The Committee considered it advisable for the Council, when requested to consider proposals involving the League in new expenditure, to be able to plead an Assembly resolution urging the necessity for refraining from incurring additional expenditure except after full consideration.

It therefore adopted the following resolution:—

"The Assembly,

"Considering that the present financial position of all countries renders the strictest economy necessary on the part of the League of Nations, especially in so far as new work involving the League in new expenditure is concerned, even if this work was contemplated by conventions or resolutions antedating the present session of the Assembly:

"Requests the Council of the League and the Governing Body of the International Labour Office to see that work of this nature should be undertaken between the Third and Fourth Assemblies only in cases of extreme urgency.

"The Assembly also requests the Council of the League and the Governing Body of the International Labour Office to submit to the Fourth Assembly a statement of new work, involving new expenditure on the part of the League, undertaken in accordance with the conditions mentioned in the first paragraph."

(f) *Deferred Pay and Pensions.*

At its last meeting, and after discussion, the Fourth Committee adopted the following resolution:—

"The Fourth Committee,

"Whereas it only received the report of the Salaries Adjustment Committee on the subject of a deferred pay and pensions scheme for the Secretariat and International Labour Office at its last meeting, two days before the close of the Assembly,

"Whereas it was impossible in these circumstances to consider this question with the necessary care:

"Recommends the Assembly to transmit the report that was submitted to it to the Commission of Control and requests the Council to submit to the Members a final report four months before the opening of the fourth session of the Assembly."

(g) *Pension for Dr. Pardo's Child.*

The Committee felt much sympathy for the case of Dr. Pardo, an official of the International Labour Office, who died while on a mission to Russia, leaving a young child in difficult circumstances. The Committee duly signified its approval of the decision of the Governing Body of the International Labour Office, recommending that a sum equivalent to one-fourth of Dr. Pardo's salary should be devoted to the maintenance and education of his son.

The Committee decided to include for this purpose a sum of 7,500 francs in the Supplementary Estimates.

The Report of the Fourth Committee would not be complete without an expression of the gratitude felt by all the members of the Committee towards their distinguished Chairman, M. Zahle. His task, in the opinion of all, was a heavy and difficult one, and no one could have discharged it with greater devotion or competence.

The resolutions proposed by the Committee were unanimously adopted by the Assembly in the following form:—

Resolution
No. 39 (29th
Sept. 1922).

I. The Assembly of the League of Nations finally passes the expenditure and income accounts for the third fiscal period ending 31st December 1921.

II. The Assembly adopts the first report of the Supervisory Commission (Commission de Contrôle) and the supplementary report (A. 7, 1922, X. and A. 7 (b) 1922 X.) in so far as their recommendations have not already been acted upon or are not at variance with other specific decisions of the third Assembly or of its fourth Committee.

III. The Assembly, whereas the work undertaken by the Committee on Intellectual Co-operation, in accordance with the decision of the second Assembly, cannot be satisfactorily carried out without adequate financial provisions in the Budget,

Decides to raise the credit for this purpose under the Item of "International Bureaux and Miscellaneous Questions" from 125,000 francs as proposed by the fourth Committee to 175,000 francs.

IV. The Assembly of the League of Nations, in accordance with Article 4 of the recommendation adopted by the first Assembly on the administration of the finances of the League of Nations, dated 17th December 1920,

Approves, for the fiscal period 1923, the general Budget of the League, the Budget for the International Labour Organisation, and the supplementary credits, amounting in all to 25,673,508 francs; And decides that these budgets shall be published in the *Official Journal*.

V. The Assembly of the League of Nations,

Having noted the letter from the Swiss Delegation dated 14th September 1922, addressed to the Secretariat of the League of Nations on behalf of the Federal Council and on behalf of the Council of State of the Republic and Canton of Geneva and of the Administrative Council of the City of Geneva, by which, subject to the ratification by the constitutional powers both Federal and Genevese, and in order to assist the League to build in due time premises suitable for the holding of the Assembly and for use as offices by the International Labour Office, by obtaining possession of land in Geneva, suitably placed for their requirements, the following sites are offered as a gift:

(1) On the part of the Swiss Confederation, the premises situated at 154 Rue de Lausanne, on the shores of the Lake, and having an area of 35,843 square metres;

(2) On the part of the Republic and Canton of Geneva and the City of Geneva, the land adjacent to the Secretariat on the side nearest to the city, and having an area of 4,493 square metres,

Expresses its warm appreciation of the generosity and the goodwill shown towards the League of Nations which inspired these offers, and gives full powers to the Council:

(1) To accept these offers as soon as they have both been definitely made; and

(2) To authorise the Secretary-General to carry out on behalf of the League of Nations the transfer of the property rights.

VI. The Assembly, with regard to the decision of the Council dated 21st July 1922, desires to express its full approval of the principle that expenditure incurred for special investigations in the particular interests of one or more Members of the League shall be met by that or those Members of the League.

VII. The Assembly,

Considering that the present financial position of all countries renders the strictest economy necessary on the part of the League of Nations, especially in so far as new work involving the League in new expenditure is concerned, even if this work was contemplated by conventions or resolutions antedating the present session of the Assembly:

Requests the Council of the League and the Governing Body of the International Labour Office to see that work of this nature is undertaken between the third and fourth Assemblies only in cases of extreme urgency;

And requests the Council of the League and the Governing Body of the International Labour Office to submit to the fourth Assembly a statement of new work, involving new expenditure on the part of the League, undertaken in accordance with the conditions mentioned in the first paragraph.

VIII. The Assembly,

Whereas the fourth Committee only received the report of the Salaries Adjustment Committee (A. 149, 1922 X.) on the subject of a deferred pay and pensions scheme for the Secretariat and International Labour Office at its last meeting, two days before the close of the Assembly,

Whereas it was impossible in these circumstances to consider this question with the necessary care:

Decides to transmit the report of the Salaries Adjustment Committee to the Supervisory Commission (Commission de Contrôle) and to request the Council to submit to the Members of the League a final report four months before the opening of the fourth session of the Assembly.

Recommendation.—The Assembly recommends that, in view of the necessity of realising economies in the financial administration of the League, the Council should always hold its sessions at Geneva, except in the case of absolutely exceptional circumstances necessitating a session in some other town.

ANNEX X.—*Extract from Report of Fifth Committee on the Traffic in Women and Children.*

*Signatures and Ratifications of and adhesions to the Arrangement of 1904, the Convention of 1910 and the Convention of 1921. The situation to date.**

ARRANGEMENT OF 1904.

<i>Signatories.</i>	<i>Ratifications.</i>	<i>Adhesions—cont.</i>
Belgium - - -	- 22 June 1905	British Colonies—cont.
Denmark - - -	- 18 Jan. 1905	Barbados - - -
France - - -	- Do.	- 3 July 1906
Germany - - -	- Do.	Canada - - -
Great Britain - - -	- Do.	- Do.
Italy - - -	- Do.	Central Africa - - -
Netherlands - - -	- 14 Jan. 1907	- Do.
Norway - - -	- 18 Jan. 1905	Ceylon - - -
Portugal - - -	- 12 July 1905	- Do.
Russia - - -	- 18 Jan. 1905	Cyprus - - -
Spain - - -	- Do.	- —
Sweden - - -	- Do.	Fiji Islands - - -
Switzerland - - -	- Do.	- 23 Oct. 1907
		Gambia - - -
<i>Adhesions.</i>		- 3 July 1906
Austria-Hungary - - -	- 18 Jan. 1905	Gibraltar - - -
Brazil - - -	- 12 May 1905	- 23 Sept. 1905
Bulgaria - - -	- 15 June 1921	Gold Coast - - -
Czecho-Slovakia - - -	- 8 June 1921	- 3 July 1906
Danzig - - -	- 2 July 1921	Guiana (British) - - -
Dutch Indies - - -	- 14 Jan. 1907	- Do.
French Colonies - - -	- 18 Jan. 1905	Hong Kong - - -
German Colonies - - -	- 14 May 1907	- 18 Mar. 1907
Luxemburg - - -	- 4 July 1910	India - - -
Monaco - - -	- 2 July 1921	- 8 Feb. 1920
Morocco - - -	- 1 Jan. 1922	Jamaica - - -
Poland - - -	- 28 Feb. 1922	- 11 Mar. 1907
Siam - - -	- 28 Dec. 1921	Kenya - - -
Tunis - - -	- 1 Jan. 1922	- 4 Nov. 1921
Uruguay - - -	- 30 June 1920	Leeward Isles - - -
British Colonies:—		- 8 April 1907
Australia - - -	- 3 July 1906	Malta - - -
Bahamas - - -	- Do.	- 3 July 1906
		New Zealand - - -
		- 24 Aug. 1907
		Newfoundland - - -
		- 3 July 1906
		Northern Nigeria - - -
		- Do.
		Nyassaland - - -
		- 4 Nov. 1921
		Rhodesia (Southern) - - -
		- 3 July 1906
		St Helena - - -
		- 18 Mar. 1907
		Senegambia - - -
		- 3 July 1906
		Seychelles Is. - - -
		- 26 Sept. 1906
		Sierra Leone - - -
		- 11 Mar. 1907
		Somaliland - - -
		- Do.
		Straits Settlements - - -
		- 4 Nov. 1921
		Trinidad - - -
		- 3 July 1906
		Uganda - - -
		- 1 June 1907
		Wei-hai-Wei - - -
		- 11 May 1907
		Windward Isles - - -
		- 3 July 1906

CONVENTION OF 1910.

<i>Signatories.</i>	<i>Ratifications.</i>	<i>Adhesions—cont.</i>
Austria-Hungary - - -	- 8 Aug. 1912	Poland - - -
Belgium - - -	- 30 July 1914	- 12 Jan. 1921
Brazil - - -	(Has not ratified)	Siam - - -
Denmark - - -	- Do.	- 28 Dec. 1921
France - - -	- 8 Aug. 1912	Surinam and Curaçao - - -
Germany - - -	- Do.	- 14 Nov. 1921
Great Britain - - -	- Do.	Tunis - - -
Italy - - -	(Has not ratified)	- 1 Jan. 1922
Netherlands - - -	- 8 Aug. 1912	Uruguay - - -
Portugal - - -	- 9 Sept. 1913	- 30 June 1920
Russia - - -	- 8 Aug. 1912	British Colonies:
Spain - - -	- Do.	Bahamas - - -
Sweden - - -	(Has not ratified)	- 4 Nov. 1921
		Canada - - -
		- 25 April 1921
		Ceylon - - -
		- 4 Nov. 1921
		Cyprus - - -
		- Do.
		Fiji Islands - - -
		- Do.
		Gibraltar - - -
		- Do.
		Hong Kong - - -
		- Do.
		India - - -
		- 27 May 1922
		Jamaica - - -
		- 4 Nov. 1921
		Kenya - - -
		- Do.
		Malta - - -
		- Do.
		New Zealand - - -
		- 1 Oct. 1913
		Newfoundland - - -
		- Do.
		Nyassaland - - -
		- 4 Nov. 1921
		Southern Rhodesia - - -
		- Do.
		Straits Settlements - - -
		- Do.
		Trinidad - - -
		- Do.
<i>Adhesions.</i>		
Bulgaria - - -	- 15 June 1921	
Czecho-Slovakia - - -	- 8 June 1921	
Danzig - - -	- 2 July 1921	
Dutch East Indies - - -	- 5 Mar. 1922	
French Colonies - - -	- 1 Jan. 1922	
Monaco - - -	- 2 July 1921	
Morocco - - -	- 1 Jan. 1922	
Norway - - -	- 16 Dec. 1921	

* During the discussions in Committee V. the Delegates of the following countries stated that their Governments hoped to shortly ratify the Convention of 1921:—Greece, Cuba, Japan, Italy, Roumania, China, Portugal, Poland, Serb-Croat-Slovene, Sweden, Chile.

CONVENTION OF 1921.

Members of the League :		Members of the League— <i>cont.</i>	
<i>Signatories.</i>	<i>Ratifications (Deposit).</i>	<i>Signatories.</i>	<i>Ratifications (Deposit).</i>
South Africa	28 June 1922	Netherlands	—
Albania	—	Persia	—
Australia	28 June 1922	Poland and Free City of Danzig	—
Austria	9 Aug. 1922	Portugal	—
Belgium	15 June 1922	Roumania	—
Brazil	—	Siam	13 July 1922
Great Britain	28 June 1922	Switzerland	—
Canada	Do.	Sweden	—
China	—		
Chile	—	<i>Non-signatories.</i>	
Colombia	—	Argentine.	Luxemburg.
Costa Rica	—	Bolivia.	Nicaragua.
Cuba	—	Bulgaria.	Panama.
Czecho-Slovakia	—	Denmark.	Paraguay.
Esthonia	—	Finland.	Peru.
Greece	—	France.	Salvador.
Hungary	—	Guatemala.	Spain.
India	—	Haiti.	Serb-Croat-Slovene State.
Italy	—	Honduras.	Uruguay.
Japan	—	Liberia.	Venezuela.
Latvia	—		
Lithuania	—	<i>Non-Member of the League.</i>	
New Zealand	28 June 1922	<i>Signatory.</i>	
Norway	16 Aug. 1922	Germany.	

ANNEX XI.—*Report of the Fifth Commission on the Traffic in Opium and other dangerous Drugs. (Rapporteur: Dr. Nansen.)*

In the report laid before it by its Fifth Commission, the Second Assembly was informed that the Advisory Committee on Traffic in Opium had drawn up a Questionnaire as to the measures taken to carry out the Opium Convention, and that this Questionnaire had been sent by the Secretariat to the various Governments. Basing itself upon the answers received, the Advisory Committee has, in its report of this year, given a preliminary survey of the execution of the agreements with regard to the traffic in opium and other dangerous drugs.

This Report, approved by the Council on 21st July 1922, was laid before the Fifth Commission of this Assembly. In an admirably clear and, at the same time, concentrated form, it contains a multitude of facts, all proving on the one hand the great and general interest of the questions and the importance of international co-operation in this campaign against the abuse of dangerous drugs, and proving also on the other hand the very important progress already reached during the short time which has passed since the supervision of the Opium Convention was undertaken by the League of Nations.

It would not be possible for me to refer to all the questions which the Advisory Committee has had to consider, and I desire to concentrate my observations on the points on which, at the moment, the progress of the work more immediately depends.

Following the general lines laid down in the Opium Convention, the work of the Advisory Committee is being directed towards two objects in particular, viz.: (1) the effective control of exports and imports of the drugs, and (2) the limitation of the production of the drugs to the world's legitimate needs. The attainment of the first object is immediately possible if, *but only if*, all the Governments are prepared to take the necessary administrative measures; the second object involves the careful collection and examination of statistics of production and consumption, and careful scientific inquiry by the medical authorities, with which some though I am afraid no very considerable progress has already been made.

The Fifth Commission has, during its consideration of the Opium Question, enjoyed the valuable assistance of Sir Malcolm Delevingne, the Chairman of the Advisory Committee. The Commission has been engaged especially with certain matters which may be grouped as follows:—

Ratifications.

The Members of the League will remember that the Second Assembly urged on every country not yet a Party to the Opium Convention of 1921, that it should ratify and put it into force with the least possible delay. Since last year a certain number of countries have taken action in response to this appeal. But there are still Members of the League which are not Parties to the Convention, and among them we find countries which are deeply concerned in this question.

The Advisory Committee mentions in its Report especially the importance of Persia and Switzerland becoming full Parties to the Convention. Switzerland has now responded to the pressing appeal made to it, by authorising its representative in the Fifth Commission, Monsieur Ador, to make the following declaration:—

“The Federal Council has instructed all the administrations concerned to forward to it not later than 31st October, all necessary documents; it will submit the Convention of 1921 to the Federal Assembly for its approval during its session in December 1922.”

Up to the present, however, Persia*, together with Albania, Argentine, Colombia, Costa Rica, Esthonia, Luxemburg and Paraguay have not declared themselves ready to adhere without reservation to the Opium Convention. The delegate of Chile made a statement to the Fifth Commission to the effect that the Chilean Minister at The Hague had been given the necessary powers to ratify the Convention. The importance of such adhesion is evident, any country which does not apply the provisions of this Convention being liable to become a centre of illicit traffic.

Of the countries not yet Members of the League or Parties to the Convention, the most important for the present purpose is Turkey. The Advisory Committee therefore has urged upon the Council the desirability of retaining in any new Treaty which may be made with Turkey, the provision of the Treaty of Sèvres, which obliged Turkey to ratify the Convention.

• *Certificates.*

A very important step proposed by the Advisory Committee and unanimously approved by the Second Assembly is that of the introduction of the system of Importation Certificates.

The Advisory Committee regrets, however, that up to the present very little progress has been made with the adoption of this system and adds that a certain amount of misapprehension seems to have existed as to the nature of the certificate required to be given by the Government of an importing country.

The system requires an importer of the drugs to obtain from his Government in the case of each consignment imported, a certificate that the import of that consignment is approved by the Government and is required solely for medicinal or scientific (or in the case of raw opium, for legitimate) purposes. Some Governments appear to have understood that this meant they had to guarantee that no illegitimate use would be made of the drugs when imported. An absolute guarantee of this kind cannot be given. All that is required or expected is that the Government should be satisfied that the imports are within the limits of the legitimate requirements of the country and that the persons applying for permission to import are persons engaged in carrying on a legitimate trade in the drugs and are of good repute.

The success of this system depends entirely upon its being generally adopted. It is obvious that if some States adopt the system and others not, foreign buyers will tend to send their orders to the States from which they can obtain the drugs without the necessity of furnishing an "import certificate." Complaints are already being received by Governments of countries which have introduced the system that the traders in those countries which have not adopted the system are enjoying unfair and preferential advantages.

It would greatly facilitate the application of the system if a fixed date could be arranged on which it should come into effect. The Advisory Committee first suggested 1st September of this year, but this having proved impossible the Commission hopes that the system may be generally introduced not later than 1st January 1923 (Resolution 1).

• But even if the system of Importation Certificates is adopted and introduced by all countries parties to the Opium Convention, difficulties may still arise from the fact that important exporting countries have not yet adhered to the Convention. In order to meet such difficulties, the Fifth Commission inclines to the view that the certificate system should be extended and that the Government of an importing country should not issue an import certificate unless the exporting country has already signed the Convention and put the certificate system into force. Recognising, however, the complicated and technical character of the issues involved, the Committee considers that the matter should be studied in detail by the Advisory Committee before a decision is taken, and that this should be done at the earliest date possible (Resolution 2).

As a matter of fact the Importation Certificate system, notwithstanding that it was unanimously approved by the Second Assembly, has as yet been adopted by not more than one half of the Members of the League.†

In view of the urgency of this matter the Fifth Commission has proposed as a practical measure that the delegates now present at the assembly should at once communicate with their respective Governments and ask for an immediate decision.

During the meeting of the Commission the Delegates of Cuba and Sweden announced that they had received communications from their Governments to the effect that they accepted the Importation Certificates system.

Consumption of the Drugs.

The Commission concurs fully in the steps which the Council has taken for arriving at a determination of the legitimate requirements of the various countries. Two lines of enquiry are being followed. In the first place, the *Health Committee*, in accordance with the decision of the Council approved by the Assembly last year, has been engaged in a scientific enquiry into the amount of morphine, heroin and cocaine used for medical purposes under ordinary conditions in European countries. This has not so far yielded any definite results, but the Commission are of opinion that it is very important the enquiry should be continued and pressed forward as rapidly as possible. They concur in the suggestion mentioned in the Supplementary Report of the Advisory Committee for the appointment of a joint sub-committee of the Opium Committee and the Health Committee for the consideration of the

* The Delegate of Persia stated that he had telegraphed to his Government asking it to ratify the Hague Convention and to withdraw the reservation made by Persia as to Article 3a. The Commission hopes that a favourable reply will be received.

† The following Members of the League have not yet adopted the system:—

Argentina.	Denmark.	Nicaragua.	Serb-Croat-Slovene State.
Australia.	Esthonia.	Panama.	Spain.
Bolivia.	Finland.	Paraguay.	Sweden.
Brazil.	Guatemala.	Persia.	Uruguay.
Chile.	Honduras.	Peru.	Venezuela.
Colombia.	Liberia.	Rumania.	
Costa Rica.	Lichtenstein.	Salvador.	

matter. In the second place, the Council, on the recommendation of the Advisory Committee, has invited all the Governments to furnish estimates of their annual requirements of the drugs. These estimates, however rough and approximate, will enable a provisional estimate of the world's legitimate consumption to be formed and the necessity of further measures for the control of production to be considered. The Commission suggest that these estimates should be accompanied by a statement of the system adopted in arriving at the estimate. The Commission hopes that it will be possible for the Governments to supply these estimates in time for their examination and consideration by the Advisory Committee at its meeting next spring and for the preparation of a provisional estimate and scheme for submission to the next meeting of the Assembly.

An approximate knowledge of the legitimate requirements for the drugs will form a basis for the control and limitation, also of the production of the drugs. As long as the dangerous drugs are produced in quantities exceeding the legitimate requirements, a great danger exists that the surplus will find its way into illegitimate channels. A control of production so as to limit it to the amount required for medical and legitimate purposes will therefore be the most effective way of putting a stop to the illicit traffic.

Such control of the production of dangerous drugs is embodied already in the Convention of 1912 (Part III., Article 9) and steps are already being taken to give effect to this Article. In view of the urgency of this matter the Fifth Commission thinks it necessary once again to draw the attention of the various Governments to the importance of a full and prompt co-operation with the Advisory Committee in giving all the information required. The Fifth Commission adopted a resolution on the subject (Resolution 3).

While dealing with the consumption of drugs a brief reference may be made to a question raised in the Commission as to the import of opium into Hong Kong. The use of opium for smoking is still permitted in Hong Kong, as in other of the Far Eastern possessions of European Powers, but in accordance with Chapter II. of the Opium Convention it is placed under strict Government regulations, pending complete suppression, and has been greatly restricted. The attention of the Commission was called to the fact that the Government of Hong Kong was proposing to increase its imports of raw opium from 10 to 20 chests a month. The British representative explained that in this case an increased import would not mean any increase available for consumption.

At the end of 1919 the imports had been reduced at one stroke from 45 chests to 10, but this reduction had been found to be too sudden and the consumption had in fact been considerably more than 10 chests, the balance being drawn from reserve stocks, which were now depleted. The additional imports were only required to maintain the existing rate of consumption. The British Government gave an undertaking that, if the Advisory Committee should so recommend it next spring, the supply of opium placed on sale in Hong Kong would be so limited that the average consumption from now until the end of 1923 would not exceed the average consumption of the last few years, on the closest estimate which could be made.

Statistics.

The Commission desires to call attention to the great importance of the fullest possible information being supplied by all the Governments of the amounts of the drugs produced, manufactured, imported, exported, distributed or consumed in their respective countries. The Advisory Committee point out that they have been unable to report fully on the control of the traffic in dangerous drugs, which is a question of so great importance for European as well as for Oriental countries, because the statistics of manufacture, distribution, &c., furnished by the Governments were very incomplete. A special request has been addressed by the Council to the Governments to complete at any rate the statistics on the manufacture of cocaine, &c., with the least possible delay, but so far, the Commission regret to say, this appeal has had very little result. They also understand that, so far, only four countries have made the Annual Report on the traffic, in respect of the year 1921, viz., Great Britain, Canada, France and Italy, and not all of these contain statistics of manufacture. It is evident that the work of the Advisory Committee will be greatly hindered if this information is not furnished, and the Commission express the hope that at any rate full statistics will be obtained and furnished by the Governments in respect of the current year before the Advisory Committee meets next spring, both of cocaine and of morphine and their derivatives, and they also hope that it may still be possible for the Governments to take steps to collect the statistics of production or manufacture for 1921 and possibly for preceding years.

Control of the Traffic at Free Ports.

The Fifth Commission has taken note of the Resolution adopted by the Advisory and Technical Committee for Communications and Transit at its Third Session.

"The Committee for Communications and Transit, having been informed by the Opium Committee regarding the question of the control of the opium traffic in free ports, points out in the first place, in order to avoid possible misunderstanding, that the regime of free ports—which is essentially and exclusively a customs regime—would not form an obstacle to the application of special police measures, particularly as regards the supervision of harmful and narcotic substances, provided that such measures do not cause any hindrance to the regime of commercial and industrial freedom which it is the object of the free ports to develop.

"In bringing these observations to the notice of the Opium Committee, the Committee for Communications and Transit informs it that it is considering what police measures might be taken for the above-mentioned purpose.

"Further, with a view to entering upon the study of this question, the Committee for Communications and Transit, acting in co-operation with the Opium Committee, has decided to appoint a special sub-Committee composed of MM. de Aguero y Bethancourt (Chairman), Charguerand, Holck-Colding, Montarroyos, Stievenard and Tcheou-Wei."

General co-operation.

The programme as well as the progress of the very important work undertaken by the League in regulating the traffic and suppressing the abuse of dangerous drugs, has now been outlined. One

point, however, remains to be emphasised. It will be evident to every Member of the Assembly that, if we are to carry through this great programme, we must, in the Advisory Committee, have the co-operation of all countries which are specially concerned in the cultivation, manufacture and distribution of the drugs.

Among the countries which are both Members of the League and parties to the Convention, the Serb-Croat-Slovene State, although invited by the Council to send a representative to the Advisory Committee, has not so far accepted the invitation. The delegate for the Serb-Croat-Slovene State on the Fifth Commission has, however, with the authorisation of his Government, declared that it is ready to send a representative to the next session of the Advisory Committee.

Of the utmost importance is also the co-operation of certain countries not yet Members of the League. Germany has given us her help by appointing to the Advisory Committee a member whose services have been invaluable. But the United States of America, which is a party to the Convention and which is one of the largest importing and manufacturing countries in the world, is not yet co-operating.

The Fifth Commission fully endorse the hope expressed by the Advisory Committee that means may be found before long to obtain this co-operation. It feels, indeed, so deeply the urgency of this matter, that it ventures to propose a resolution in which the Council is asked formally to invite the United States Government to appoint a member to the Advisory Committee (Resolution 5).

The *Resolutions* laid before the Assembly by the Fifth Commission, expressing the views here explained, are the following:—

“(1) The Assembly, being convinced that the most practical means of exercising control over the traffic in dangerous drugs is by means of the import and export certificate system, and believing that only international action can make this system a success, urges on all Governments the vital necessity of adopting this import and export certificate system without delay.

“(2) The Commission inclines to the view that the Governments which are Parties to the International Opium Convention should be asked to agree not to issue licences for the import of opium, or the other drugs to which the Convention applies, from any country which has not yet ratified and put into force the Convention, and adopted the system for the control of exports and imports approved by the Assembly in para. 1 (3) of the Resolution adopted on 30th September 1921, and previously approved by the Council on 28th June 1921. The Commission considers this question important and urgent, but, recognising the complicated and technical character of issues involved, it is of opinion that the matter should be examined in detail by the Advisory Committee of the League on Traffic in Opium, before any definite action is taken. It therefore recommends that the Assembly should request the Council to convene a meeting of the Opium Advisory Committee, as soon as possible, to study the question, and should that Committee report in favour of the proposal, that the Council should be asked to act on the recommendations of the Advisory Committee in the form approved by the Council, at the earliest possible date, and without further reference to the Assembly if the Council considers such reference unnecessary.

“(3) The Assembly, being of the opinion that the first steps necessary in limiting the world's supply of dangerous drugs to legitimate uses is a knowledge of the amount of drugs required by each country for internal consumption, urges the Governments to supply the returns asked for with the least possible delay and with the greatest accuracy in their power. The various Governments should, with a view to allowing comparison to be made, state clearly the system adopted in arriving at the estimate, and should supply a secondary statement showing estimated consumption per 100,000 inhabitants.

“(4) The Assembly of the League of Nations again desires to emphasise the view expressed in the Report of the Advisory Committee that as long as the drugs to which Part III., particularly Article IX., of the Opium Convention applies are produced in quantities exceeding the legitimate requirements, there is a great danger that the surplus will find its way into illegitimate channels, and that the control of production, so as to limit it to the amount required for medical and legitimate purposes, is the most effective method of putting a stop to the illicit traffic; it recommends that the enquiry now proceeding into the world's legitimate requirements should be pressed forward as rapidly as possible, and expresses the hope that a provisional estimate and scheme will be submitted to the Assembly next year.

“(5) The Assembly, convinced of the urgent necessity of securing the fullest possible co-operation in the work of the Advisory Committee on Traffic in Opium and other dangerous Drugs, and considering the fact that the United States of America is one of the most important manufacturing and importing countries, recommends to the Council of the League that it should address a pressing invitation to the Government of the United States to nominate a member to serve on the Committee.”

ANNEX XII.—*Draft Convention of 1910 regarding Obscene Publications, referred to in Assembly Resolution 25 of 28th September (see page 36).*

ANNEX I.—FINAL PROTOCOL.

The undersigned, delegates of the Governments of Germany, the United States of America, Austria, Hungary, Belgium, Brazil, Denmark, Spain, France, Great Britain, Italy, the Netherlands, Portugal, Russia, Sweden and Switzerland, met at Paris on 18th April 1910, on the invitation of the French Government, with a view to reaching an agreement as to the most effective method of suppressing the circulation of obscene publications.

As a result of the discussions, which are recorded in the minutes of the meetings, they have agreed to submit, for the consideration of their respective Governments, the following draft Convention:—

DRAFT CONVENTION.

being equally desirous of taking the most effective steps possible to suppress the circulation of obscene publications, have resolved to conclude a Convention to that end, and have accordingly appointed as plenipotentiaries

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

Article I.

It shall be a punishable offence:

- (1) To manufacture or be in possession of obscene writings, drawings, pictures or articles for the purpose of trading in or distributing the same.
- (2) To import or cause to be imported, convey or cause to be conveyed, for the above purpose, any such obscene writings, drawings, pictures or articles, or to put them in circulation in any other manner.
- (3) To trade, even privately, therein or to make a trade of lending thereof.
- (4) To advertise such trade by any means whatsoever.

Article II.

Persons who have committed an offence falling under Article I. shall be amenable to the Courts of the States in which the offence, or any of the constitutive elements of the offence, was committed. They shall also be amenable to the Courts of the States of which they are nationals, if they are found therein, even if the constitutive elements of the offence were committed outside such State.

Each contracting State shall, however, have the right to apply the maxim *non bis in idem* in accordance with the rules laid down in its legislation.

Article III.

Those of the contracting Parties whose legislation is not at present adequate to give effect to the present Convention, undertake to take or to propose to their respective legislations the measures necessary for this purpose.

Article IV.

The transmission of rogatory commissions relating to offences falling under the present Convention shall be effected either:—

- (1) By direct communication between the judicial authorities.
- (2) Through the diplomatic or consular agent of the applying country in the country to which application is made, who shall forward the rogatory commission directly to the competent judicial authority, and shall receive direct from such authority the papers showing the execution of the commission.
(In each of the above cases a copy of the rogatory commission shall always be sent to the supreme authority of the State to which application is made.)
- (3) Through diplomatic channels.

Each contracting Party shall notify to each of the other contracting Parties the method or methods of transmission mentioned above, which it will recognise for rogatory commissions of such State.

Any difficulties which may arise in connection with transmission by methods (1) and (2) of the present Article shall be settled through diplomatic channels.

Unless otherwise agreed, the rogatory commission shall be drawn up in the language of the authority to which application is made, or in a language agreed upon by the two States concerned, or shall be accompanied by a translation in one of these two languages certified by a diplomatic or consular agent of the applying State or certified on his oath by a translator of the State to which application is made.

Execution of rogatory commissions shall not be subject to payment of taxes or expenses of any nature whatsoever.

Article V.

Non-signatory States may adhere to the present Convention. They shall notify their intention to that effect by means of an instrument which shall be deposited in the archives of the Government of the French Republic. The said Government shall send through diplomatic channels a certified copy of the said instrument to each of the contracting States, and shall at the same time inform them of the date of deposit.

Six months after the date on which the instrument of notification is deposited, the Convention shall come into force in the whole of the territory of the adhering State, which shall thus become a contracting State.

Adherence to the Convention shall, *ipso facto*, and without special notification, involve concomitant and full adherence to the Arrangement of 4th May 1910, which shall come into force on the same date as the Convention itself in the whole of the territory of the adhering State.

Article IV. of the above-mentioned Arrangement of 4th May 1910 shall not, however, be invalidated by the preceding provision, which should remain applicable should any State prefer to adhere only to that Arrangement.

Article VI.

The present Convention, supplemented by a Protocol of cloture, which forms an integral part of the Convention, shall be ratified, and the ratifications deposited at Paris as soon as six of the contracting States shall be in a position to do so.

A *procès-verbal* of every deposit of ratifications shall be drawn up, and a certified copy thereof shall be delivered through diplomatic channels to each of the contracting States.

The present Convention shall take effect six months after the date of the deposit of ratifications.

Article VII.

In the event of one of the contracting States denouncing the Convention, the denunciation shall only have effect in regard to that State.

The denunciation shall be notified by an instrument which shall be deposited in the archives of the Government of the French Republic. The said Government shall send, through diplomatic channels, a certified true copy thereof to each of the contracting States, and at the same time inform them of the date of deposit.

Twelve months after that date the Convention shall cease to be in force throughout the territory of the denouncing State.

Denunciation of the Convention shall not, *ipso facto*, involve the concomitant denunciation of the Arrangement of 4th May 1910, unless this is expressly stated in the instrument of notification; if not, the contracting State shall, in order to denounce the said Arrangement, proceed in accordance with Article V. of such agreement.

Article VIII.

Should a contracting State wish to enforce the present Convention in one or more of its colonies, possessions, or consular court districts, it shall notify its intention to that effect by an instrument which shall be deposited in the archives of the Government of the French Republic. The said Government shall send through diplomatic channels a certified copy of each of the contracting States and at the same time inform it of the date of deposit.

Six months after the date on which the instrument of notification is deposited, the Convention shall come into effect in the colonies, possessions or consular court districts specified in the instrument of notification.

The applying State shall, by means of a communication addressed to each of the other contracting States, give notice of the method or methods of transmission which it will recognise for rogatory commissions destined for the colonies, possessions, or consular court districts included in the notification referred to in the first paragraph of the present Article.

Denunciation of the Convention by one of the contracting States on behalf of one or more of its colonies, possessions, or consular court districts, shall be effected in the form and under the conditions set forth in the first paragraph of this Article. It shall become operative 12 months after the date of the deposit of the instrument of denunciation in the archives of the Government of the French Republic.

Adherence to the Convention by a contracting State on behalf of one or more of its colonies, possessions or consular court districts shall, *ipso facto*, and without special notification, involve full and concomitant adherence to the Arrangement of 4th May 1910. The said Arrangement shall come into force thereat the same time as the Convention itself. Denunciation of the Convention by a contracting State on behalf of one or more of its colonies, possessions or consular court districts shall not, however, involve, *ipso facto*, the concomitant denunciation of the Arrangement of 4th May 1910, or unless this is expressly stated in the instrument of notification.

Nevertheless, as from the date on which the present Convention comes into force, any adherence or denunciation applying to the said Arrangement and relating to the colonies, possessions or consular court districts of a contracting State shall be effected in conformity with the provisions of the present Article.

ANNEX II.—DRAFT PROTOCOL OF CLOTURE.

At the time of proceeding to the Convention of to-day's date the Plenipotentiaries wish to draw attention to the fact that the second paragraph of Article II. should be understood to mean that it is desirable that, except in special cases, persons who can prove that they have undergone full process of trial in a contracting State, and, if condemned, have served their sentence or are saved from the penalty by lapse of time, or have obtained pardon, shall not be proceeded against for the same offence in another contracting State.

In faith whereof the undersigned Delegates have drawn up this Final Protocol, of which a certified true copy will be sent to each of their respective Governments.

Done at Paris, in a single copy, on 4th May 1910.

For Germany (with a reservation regarding Article IV.):—ALBRECHT LENTZE; CURT JOEL.

For the United States of America:—A. BAILLY-BLANCHARD.

For Austria:—EICHHOFF.

For Hungary:—DR. LOUIS DE FEST; DR. R. DE BARTHA.

For Belgium:—JULES LEJEUNE; ISIDORE MAUS.

For Brazil:—J. DE SOUZA-BANDEIRA; J. P. DE SOUZA-DANTAS (as Assistant).

• For Denmark:—C. E. COLD.

For Spain:—OCT. CUARTERO.

For France:—R. BÉRENGER; L. RENAULT; RKNÉ LECOMTE; MARCEL CHATAIN; DELIGNE; PAUL PEYSONNIÉ; THÉODORE TISSIER; HENNEQUIN.

For Great Britain and Ireland:—E. W. FARNALL; F. S. BULLOCK; S. A. AITKEN.

For Italy:—G. C. BUZZATI; GEROLAMO CALVI.

For the Netherlands:—A. DE STUERS; RETHAAN-MACARÉ.

For Portugal:—COMTE DE SOUZA-ROZA; JAYME DE SÉGUIER.

For Russia:—ALEXIS DE BELLEGARDE; WLADIMIR DERUGINSKI.

For Sweden:—F. DE KLÉRCKER.

For Switzerland:—LARDY.

ANNEX III.—DECLARATIONS AND RESERVATIONS RECORDED IN THE MINUTES OF THE CONFERENCE.

All the States represented at the Conference reserve the right to give the word *obscenity* the legal signification which they consider correct.

The German Delegation states that it cannot consider the word "article" as a legal and technical term which could at present be introduced into German legislation.

The French Delegation points out that French legislation draws a distinction between writings, properly so-called, and books, and makes every reservation on this point, as under French law books are not included in ordinary writings.

In view of British legislation, according to which in principle the Courts may not, in penal cases, take cognisance of acts committed outside the territory, nor convict upon written evidence, the Government of Great Britain must reserve to itself the right not to propose to its Parliament measures to ensure the institution of legal proceedings, in British territory, against persons who have not committed in British territory the offences dealt with in the present Convention.

The Government of the Netherlands declared that, in its opinion, the expression "outside such State" appearing in Article II. of the Convention does not compel Her Majesty's Government to impose penalties upon persons other than Dutch subjects who have committed, in countries other than those of the signatory and adhering States, the acts or any of the acts which are the constitutive elements of the offences dealt with in the Convention.

VŒUX EXPRESSED BY THE CONFERENCE.

All the Delegations express the hope that each legislation will increase the severity of the penalty in cases where obscene matter is offered, given, sold or distributed to young persons. Each legislature will have the right to define the exact age below which young persons must be protected.

The Conference expresses the hope that the Government of the French Republic will endeavour to obtain the widest possible acceptance of the two Instruments which have just been discussed. It is most desirable that the Arrangement and the Convention should be given final form without delay by the States represented, and that these agreements should then receive the widest possible adherence from States not represented.

APPENDIX III.

Certain Speeches on Treaty of Mutual Guarantee and connected Resolutions.

(a) *Speeches in Assembly on 26th September of (i) M. de Jouvenel and (ii) The Right Hon. H. A. H. Fisher.*(i) *Speech by M. de Jouvenel (France) in the Assembly, 26th September.*

Mr. President, Ladies and Gentlemen, I should like first of all to associate myself gratefully with the words M. Scialoja has just spoken on behalf of Italy, to assure him once more that I am in perfect agreement with him, and to take this opportunity of thanking him both for what he has said and for the part played in the Third Committee by Count Tosti, who demonstrated that among her many arts Italy possesses that of harmonising conflicting points of view, and of reconciling all differences in one clear vision.

By his efforts the Italian Representative has greatly assisted in the task to which all the members of the Third Committee devoted themselves heart and soul from the first to the last minute of their deliberations. That task was the completion and realisation of Lord Robert Cecil's remarkable draft, for which we are asking the Assembly's approval to-day. The adoption of this proposal will, I think, represent one of the greatest successes achieved up to the present by the cause of idealism.

This success will no doubt be contested by septsics. There always have been, and there always will be, people who will denounce everything new as an illusion, thinking this the essence of wit, and who are unable to perceive that the worst and most dangerous of all illusions is to believe that things will always happen as they have happened in the past, and to fail to realise that in a world of perpetual change, in which the methods of thought, of industry, and even of agriculture, are changing every day, that political methods alone remain immutable.

The great change which has been effected during the past century in the relations between man and the universe makes it impossible to doubt that we shall one day see a similar change in the relations between man and man, for it cannot be that mankind can be the only power in nature which the human brain fails to dominate.

Fortunately, Lord Robert Cecil is an idealist, and I respectfully admire him for it. I know that perfection cannot be attained by men, or even by politicians, who are accused of every crime. This has been so since the beginning of history, as I think that the oldest known manuscript, the Theban Papyrus, which we preserve in the Bibliothèque Nationale, contains this precept: "Do not mix with the crowd for fear that your name should be smirched."

But I know, too, that the accusation which redounds most greatly to the credit of a politician is perhaps that of being a Utopian, for in reality Utopia is often only a name given to the future by the past.

The primary condition of establishing peace in the world is to believe in it.

But there is another condition, and that is to study the sequence by which an idea can pass from the imagination of men into the realm of fact, and to satisfy and abide by the conditions which old

civilisations, with their administrations, their habits of thought, and their routine, impose upon human aspiration.

Lord Robert Cecil has attempted to satisfy these conditions, and I think he has very largely succeeded in doing so, by the Treaty of Guarantee. We cannot forget that there have been long periods when within every country and within every tribe man's whole security rested in his strength and weapons, when he was his own law, his own police, his own justice, and that it has taken us long enough to realise how singular was this system of political and social security, whereby a man only felt safe in so far as he was a danger to his fellows.

Nevertheless, men realised it at last, and gradually began to create a form of justice to which men of goodwill had recourse; then, much later, they organised a police force; then, later again, they reached the point of organising that system of insurance companies, whereby the man whose house is burnt down can regain the money required for its reconstruction, and whereby the poor widow and her children may be certain of the bread which the dead worker will give them no more.

Now, when nations followed the example of individuals by forming societies, their intention was to pass through the same phases as the individual, and, ultimately, to guarantee to the peoples as a whole ever larger forms of security similar to those which every country offers to each and all the individuals which comprise it.

You have begun, gentlemen, by creating a tribunal—the Permanent Court of International Justice—which can, at present, define justice, but cannot dispense it. For its sentences are not obligatory. The words which it speaks from above the conflicts are often drowned by the clash of armed peoples. The international law of which we hail the birth is the only form of law which as yet includes no sanctions.

By the Treaty of Mutual Guarantee Lord Robert Cecil has begun the organisation of such sanctions; in doing so he has fulfilled one of the most cherished projects of my country's Representatives—the project which, in the early days of the League of Nations, M. Léon Bourgeois defined, with all the clearness of his lucid intellect, and which has been spread far and wide by the great voice of M. Viviani. Lord Robert Cecil has sought to organise that international power which must form the foundation of international law. The Treaty of Mutual Guarantee, which he proposed during the discussion on this subject, was envisaged by the Third Committee under three somewhat different aspects.

First, there was Lord Robert Cecil's conception; he desires a general treaty, or rather, he desires to begin with a general treaty, which would bind all the countries of the world at the same moment, would cause them all to disarm in the same proportion, and would give to all a guarantee without risks.

Then there was the Scandinavian conception. Its purport is that disarmament must be general, but that the Treaty of Mutual Guarantee need not be so; that the countries could swear to observe peace without undertaking to make others observe it.

Lastly, there was the Latin conception, which was supported by the Representatives of Italy, Brazil, Roumania, Poland, and other countries, and was maintained by the French Representative with an obstinacy for which he asks your indulgence.

When I recall the recent invasion of Belgium, and the still more recent invasion of Poland, when I realise that at this moment there are in Europe two great Powers whose alliance is the chief danger to the peace of Europe: the one a country of mystery more closely sealed to-day than in the beginnings of civilisation, closed against all commissions of control, and able to press forward the preparations for the next war, while the other can furnish the organisation required by the first; and being convinced that humanity must first reinforce the most seriously threatened points, I for my part believe that individual treaties must precede the general Treaty. The whole cause of disarmament and peace must not be delayed on the hypothesis of a general Treaty, for in that case it would be made to hang upon the refusal of a single nation; on the contrary, I think the great Western nations should conclude individual treaties among themselves.

By such individual treaties these great nations would assume obligations not only towards one another, but also, and above all, towards the small and weak nations; they would give their guarantee to the most threatened frontiers. They would thus make possible a reduction of armaments by the nations which most need them, and have the greatest inducements to arm; weak and trustful nations would thus no longer be left at the mercy of imperialistic, powerful and enterprising Governments.

The Temporary Mixed Commission and the Permanent Advisory Committee will examine these three conceptions. We do not exclude any of them, though we consider Lord Robert Cecil's the most desirable.

In any event, and in whatever form these treaties may later be concluded, there is no doubt that they must not be like the pre-war alliances, and that they must remain perpetually open to all nations of good faith, provided that their good faith be proved.

But it is not enough to set up a tribunal, it is not enough to organise a police force; we must follow out the general idea of the insurance company.

We must admit that the victory of civilisation is perhaps not yet complete. One hundred and thirty years ago, in the early days of the French Revolution, a revolutionary speaker summed up all the hopes which the revolution aroused in Europe, and all the difficulties with which it met, in a striking phrase: "Remember that happiness is a new idea in Europe."

This idea has been abandoned, it has been betrayed; but I know of one nation which has never renounced it, and which would think that it is useless to have shed so much blood at all the stations of all the Calvaries unless at the end there is a little light on the hill-tops.

Set against this conception of civilisation there is another, expressed in Bismarck's phrase: "Might is right"; and in Bethmann-Hollweg's: "Treaties are scraps of paper"—the conception with which Nietzsche, the most famous philosopher of modern Germany, regards truth as the most ineffective form of knowledge.

Of these two civilisations one must be right. Victory does not consist in scattered fleets, in destroyed armies and reconquered lands: victory is the bringing of men's minds to the victor's conception of human civilisation.

What, then, is the idea which must be rooted out of men's minds? It is the idea by virtue of which political, financial, and economic methods culminate in invasion.

We have not only to secure ourselves against the invasion of to-morrow; we have to efface the marks of the invasion of yesterday. Reparations must follow the footsteps left by invasion.

If we wish to avoid the war of to-morrow we must blot out the last traces of the war of yesterday. That is why the French Representative made that first proposal to rid Europe of the increase of

armaments, which is the legacy of the great war; to begin by reducing the total military, naval and air expenditure of every nation to the 1913 figure, calculated by the methods of the Temporary Mixed Commission; and he suggested, in the second place, the method which consists in joining together the problem of reparations and the problem of inter-Allied debts, in order to arrive, as soon as possible, at a solution of the whole economic and financial question which weighs down Europe, and, after giving the nations relief from the burden of armaments, to free their minds from anxiety with regard to their economic and financial future. The Committee adopted both these proposals and submits them to the Assembly.

In this way we hope that we have served well the cause of peace, to which no country is more attached than my own.

The more strongly my country has built up its national unity, the higher it has raised it, the wider the prospects of humanity it has perceived, and the more it has understood that its real destiny, inherent in its nature and history, is to carry from continent to continent, from sea to sea, the benefits of civilisations ignorant of one other, and thus to increase the thought of each people by the thought of all the others, in the hope of compounding one day out of the spirit of every age and the light of every clime the atmosphere which the modern man requires to draw the breadth of life.

Last year at the Assembly my friend and colleague, M. Noblemaire, who is kept from us by illness, told you how fierce was France's hatred of war. His words found an echo in your heart. I ask you, gentlemen, to keep them in your memory, and remember that, even if all the other nations forget the war, there is one that could not forget it, for she is the guardian of your graves, Great Britain, of yours, Dominions, of yours, Italy, of yours, Belgium, and of yours, Portugal, and of the graves of all the volunteers who came from most of the countries represented in this Assembly.

During the war we acted as the advance guard of civilisation, but we know that our victory was only possible because we were on the side of light, because one by one the civilised nations took their places at our side, and at last, one day, we heard the cry, sublime in its heroism and its gratitude: "Lafayette, we are here!"

Conscious of having constituted the first international force enlisted in the service of peace, mounting guard round the treaties, we await relief, and declare that the cause of peace will be definitely won in our eyes on the day when mankind, by bringing us the Treaty of Mutual Guarantee, will say to us in its turn, "France, we are here!"

(ii) *Speech by the Right Hon. H. A. H. Fisher in the Assembly on 26th September.*

Mr. President, Ladies and Gentlemen, the Assembly has listened to a remarkable speech from my friend, Lord Robert Cecil, who has given us an illuminating and earnest survey of the work and the recommendations of the Third Committee, and his speech has been followed by a series of important declarations from the delegates of three great Powers, none the more important than the declaration which has just been made by the Hon. Delegate for Japan.

I listened to the speech of Lord Robert Cecil with very great attention in the faint hope that in the course of it I might perhaps come across some sentence, some sentiment, some aspiration, from which I might be entitled to dissent. But although I watched him carefully I am bound to confess that I am in complete agreement with the whole tenor and substance of that remarkable speech.

If I may be allowed to say so, the Report of the Temporary Mixed Committee and the Report of the Third Committee belonged to, and will be regarded hereafter as belonging to, the classic documents on the disarmament question. There is no vagueness, no ambiguous ill-considered language in these documents; they are evidence of practical work, and what I admire particularly about the documents themselves, and about the speech in which they were recommended to the Assembly, is the fact that no attempt has been made to conceal the very serious difficulties attaching to the execution of what may be regarded as the larger and more ambitious plan recommended by Lord Robert Cecil.

There was no passage in Lord Robert's speech which created a greater impression upon the audience than that in which he described the horrors of aerial warfare; how, in the wars of the future, conducted as they will be with all the improvements which science may suggest, whole populations may be destroyed in the course of a single air raid, and whole civilisations swept out of existence. And yet Lord Robert had to confess that he had not yet been able to discover any practical method of dealing with the difficulty presented by aerial warfare and by the growth of aircraft. For this, among other reasons, I think we shall all agree it is desirable that the whole matter should be referred back, as it is suggested, to the consideration of the Temporary Mixed Commission, in order that that Commission may explore these difficulties, in order that it may surmount these difficulties, and in order next year it may come before us with a well-considered plan which may enter into the serious consideration of all the Governments concerned.

Now, my friend Lord Robert Cecil reminded me of a certain orator who, in the French Revolution, spoke as the orator of the human race. I am going to address the Assembly on behalf of a more limited and modest constituency. I speak on behalf of the population of a small island situated somewhere off the north coast of France. It is an island very mysterious to most people who live on this side of the Channel. I doubt whether the character, the idiosyncrasies, the policy of my countrymen are ever fully appreciated. We are an island, and we have had the benefits of an island. We have not been invaded for more than 800 years, and then we succumbed to the prowess of an individual combining in his own person the contrasted but indomitable racial characteristics of Dr. Nansen and M. de Jouvenel. Our history and our national temperament have been profoundly influenced by our insular position and by the sense of security which is created by that position. We have been, at least ever since the time of Oliver Cromwell, a great civilian nation. We have never introduced, until recently, the system of conscription. We have been content with a small expeditionary force to deal with our colonial and Indian problems, and the temper of our population is profoundly pacific. Deep in the breasts of all the inhabitants of this little island is a distrust of far-reaching military commitments abroad. It is an instinct which every Government must respect, which no Government can disregard with impunity. If it disregarded it its life would be very short. Apart from this characteristic of our military history, we have also been, ever since the 13th century, a Parliamentary nation. We believe in Parliamentary forms. We believe in Parliamentary checks, and every Government must take account of that deep-seated constitutional instinct in the British race.

Nevertheless, in spite of those traditions—traditions rooted in our social institutional history—Great Britain and the British Empire did take part in the Great War of 1914. We entered into that war obeying a certain clear moral call. The conscience of Great Britain and the conscience of the British Empire was shocked by the wanton violation of Belgian neutrality. We felt that here was a small and innocent nation invaded by a great Power on its way to the destruction of the civilisation of France. We also were profoundly convinced that France herself was an innocent Power with no aggressive designs, pacific, desiring nothing better than to live quietly at home without disturbing her neighbour, and that the great power of the German Empire had been launched for the destruction of France. Obeying these two motives the whole might of the British Empire was mobilised for the world war. And it is my personal belief, ladies and gentlemen, that if the situation of 1914 were ever to be repeated, if there was reason to believe that the soil of Belgium and France was in danger from an unprovoked aggression, that what happened in 1914 would happen again, and that Great Britain with all her daughter States would come to the rescue of right and justice then as before.

But, ladies and gentlemen, do not let us forget what I have already endeavoured to point out, namely, the deep-seated pacific outlook of the population of Great Britain. No sooner had the Great War ceased than the conscript army, which had reached dimensions comparable with those of the great armies of the continent, and was certainly not inferior in equipment or in skill—no sooner had peace been concluded than that great army was disbanded.

Great Britain has already undertaken a large and sweeping measure of disarmament. I very much dislike worrying members of this Assembly with figures; but may I illustrate this last proposition by putting before the Assembly a few figures to show that Great Britain has been earnestly pursuing the path of disarmament which the eloquence of the *rapporteur* commended to us this morning. On the 1st August 1914 the British Army, exclusive of Dominion forces and Indian troops employed under the Indian Government, numbered 244,795 effectives. On the 1st August 1918 it numbered 4,500,795 effectives. On the 1st July 1922 it numbered 232,568 effectives.

If we turn from effectives to expenditure, we find that in 1913 and 1914 the expenditure on the British Army amounted to 34,000,000*l.*, in 1918 and 1919 to 835,000,000*l.*, and in 1922-23 to 79,000,000*l.* It must be remembered that since the war we have more than doubled the pay of the common soldier.

If we turn from the Army to the Navy we find similar reductions. The fleet strength in May 1914 was 60 battleships. In July 1922 it was 18 battleships.

I venture to submit that the process of disarmament which has been carried on in Great Britain since the war is sufficiently remarkable to justify us in making a serious plea to the whole world that the cause of peace should be promoted by further measures of the same kind.

We all listened with the greatest delight to the beautiful eloquence of M. de Jouvenel. We barbarians of the North cannot pretend to emulate that charm, that grace, that felicity. My only feeling as I listened to M. de Jouvenel was a feeling of some doubt as to whether his interpretation of the Resolutions which were adopted by the Third Committee precisely coincided with my own. I believe however, that I did agree most heartily—in fact, I do agree most heartily—with two of the main propositions which M. de Jouvenel advanced. We were urged to remember that there was no reason why we should not indulge in great ideals for the future because those ideals had not been realised in the past. He reminded us that the mind of man was constantly moving forward, and that we must have hope, and that we must have courage, and that we must welcome with enthusiasm any scheme, however wide a surface it might offer to the cynic and the critic, which might tend to lead us into a better and a happier world. With those fine sentiments finely expressed I am in entire agreement.

I was also in agreement with M. de Jouvenel when he pointed out, in an eloquent passage at the end of his speech, that one of the great tasks before us was to create an atmosphere in which civilisation could prosper and flourish. But let me return for a moment to the main plan for effective disarmament which is contained in the Report of the Third Committee. It is a plan for a Treaty of Mutual Guarantee to be general, to be open to all, and, I hope, to be accepted by all. I am speaking quite frankly as a friend of peace to an Assembly consisting of friends of peace, and I want you to realise what is likely to be the attitude of British public opinion to these proposals. I cannot, of course, attempt to speak for the temper, the tone, the attitude of my countrymen a year hence when these proposals are in force; but I believe that the attitude of Great Britain towards these proposals will be largely influenced, not only by the number of States who may be willing to come into such a guarantee, but also by the evidence which may be afforded of the temper and the tone of Europe and of a real desire to use the Treaty of Guarantee for the purpose of securing and maintaining European peace and tranquillity.

I greatly admire one feature of the Report to which M. de Jouvenel also made allusion, that is, the paragraph in the Report which deals with the question of Reparations and Inter-Allied Debts. We are all now aware that the Reparations problem blocks progress. We are all anxious to see it solved. I do not believe that there is a single Englishman who denies that France is fully entitled to reparations for the cruel devastation which has been wrought by the invading armies of Germany. I do not believe that there is a single Englishman who denies that the debt which France is entitled to receive from Germany is morally obliged to pay. I agree with the terms of the Report which make it clear that, in the opinion of the Third Committee, it is very much to be desired that the problem of reparations and the problem of war debts should be treated as a whole. That is the view of the British Government. That was the position taken up by the Balfour Note. That is the idea which animates our policy. We desire that the whole question of reparations and inter-allied debts should be treated as a whole. But if it cannot be treated as a whole, if there are obstacles in the way of it being treated as a whole, then by all means let us find some solution for it piecemeal and by degrees.

The Honourable Delegate for Italy, in the course of his interesting speech, made an observation with which, if I may say so, I entirely concur. He said that the problem of reparations and inter-allied debts at present belonged to the Allied Governments, and that until it had been definitely referred, at the request of those Governments, to the League of Nations, it was undesirable that the League of Nations should intervene. I entirely concur with that doctrine. If I may speak for myself for a moment, I personally have long held the view that it was somewhat undesirable that the League of Nations should intervene in the liquidation of war problems, or at any rate in the liquidation of those war problems which were specially contentious and difficult. But I do hold that if the reparations problem, urgent as it is, urgent as its solution is if the trade and commerce of the world are to revive, cannot receive a solution at the hands of the Powers concerned, then it is important, it is desirable—indeed, it is necessary—that the League of Nations should be invited to deal with it.

When we are considering the economic situation of the world, however, let us remember that it cannot only be put right, that the problem cannot only be solved, by the skill, the goodwill and the give and take of the Allied and Associated Powers. We must have some goodwill on the part of Germany as well. We must have the co-operation of Germany, and here I would make an earnest appeal to the good sense of the business community of Germany. Here is a problem the solution of which is urgent, a problem affecting not only the trade and commerce of the belligerent countries but the trade and commerce of the whole world, a problem poisoning international relations, preventing the spread of mutual confidence, arresting the progress of disarmament—as Lord Robert Cecil pointed out to you this morning—and nowhere will it be more injurious, if its solution be long delayed, than to the trade and commerce and security of Germany herself.

Ladies and Gentlemen, the Report of the Third Committee contains many practical proposals with respect to which there can be very little doubt that with a little goodwill on all sides a solution is possible. I have only to mention the proposal with respect to the summoning of a Conference for the Limitation of Naval Armaments. Here is a proposal which is obviously practical. The Conference at Washington has shown the way. We know that it is possible for naval armaments to be limited, and for the taxpayer to be relieved of overwhelming burdens by the co-operation and goodwill of the Powers, and it is proposed that a Conference should be summoned to examine whether the principles which have been so happily applied at Washington could not be extended to limit the naval armaments of all those Powers who were not directly represented at that great Conference. That is one proposal which might be put into practical effect during the ensuing year.

Then, again, there are paragraphs in the Report dealing with the regulation of the manufacture and traffic of armaments. Here, again, the Temporary Mixed Commission has adopted the scheme of a Draft Convention which, to my mind, appears to be quite practical, quite capable of being put into operation, and at the same time pregnant with many important benefits to the whole human race. It is quite impossible, however, that the manufacture of armaments should be limited, or that the traffic in armaments should be limited without the co-operation of the United States of America. The armament manufacturers of Europe cannot be expected to submit to limitations from which the armament manufacturers of the United States are free, and if my voice could only carry across the Atlantic I would pray peace-loving citizens, men and women, in the United States to put pressure upon their Government to co-operate with the Powers represented in this great Assembly, in order that we may devise a code of reasonable regulations which may prevent the gross abuses which now attach to the manufacture and traffic in armaments.

When we have accomplished those two objects, each of them admittedly practical, each of them admittedly capable of being accomplished in the ensuing year—when we have accomplished those two great projects we shall have done much, but we shall not have done all. I for one welcome the bold and comprehensive scheme outlined by Lord Robert Cecil, not because I am blind to its difficulties, not because I do not think it requires a great deal of further consideration, but because it does appear to me to be a logical and comprehensive scheme for the reduction of armaments which only requires a little goodwill, energy and self-sacrifice to make effective.

But how are we to realise the aim of M. de Jouvenel? How are we to create an atmosphere in Europe and throughout the world in which civilisation can prosper and flourish? It is a grave problem, because with the science of war developed to its present pitch of awful perfection there is a grave peril overhanging civilisation. There was a sombre and impressive passage in M. de Jouvenel's speech outlining the possible combination of two Powers, neither of them Members of this League, for the purpose of renewing the awful work of destruction. Is it really beyond all dreams that the great feuds of Europe should be appeased? I remember last year talking to an eminent French friend of mine, a great man of letters and also a considerable politician, who told me that in his own life-time his country house had been twice burned to the ground by the invading armies of Germany, and he went on to say, in a sad spirit of fatalism, that he supposed that his son or his grandson would have to witness the same catastrophe, that these great invasions were periodical, that they occurred with the regularity of a recurring decimal, that nothing could avert them and that all that one could do was to arm and prepare against them. If that temper of fatalism prevails in Europe, if we are all resigned to the proposition that the world can never improve, that wars must continue in future as they have in the past, only more deadly, more destructive, then there is very little use for this League of Nations.

Our business is to create a new temper in Europe and in the world, to rally peace-loving men and women in every nation and in every community, quite apart from the lines of division which existed during the Great War. It is our duty to urge upon them to combine together to will peace, to spare no effort to influence the public opinion of their respective countries to see that civilisation cannot endure another war on the scale on which another war will inevitably be waged. Then indeed, if we are unremitting in propaganda, if we do not falter in faith, it may yet be possible to see the great dream outlined by Lord Robert Cecil and supported by the Delegates of Italy, Japan and France finally and effectually realised.

(b) Proceedings of Eighth Meeting of Third Committee, 21st September.

The CHAIRMAN opened the discussion.

M. HENRY DE JOUVENEL (France) read the following draft Resolution:—

“The Assembly,

“Considering that moral disarmament is an essential preliminary condition of material disarmament and that this moral disarmament can only be achieved in an atmosphere of mutual confidence and security;

“Declares that such confidence cannot be attained so long as the world continues to suffer from disorganisation of the exchanges, economic chaos and unemployment, and that the only method of remedying these evils is to put an end to the uncertainty which prevails regarding the means for the restoration of the devastated regions and the settlement of the inter-allied debts;

“Expresses the hope that, in so far as these questions can be regulated by the unaided effort of the European nations, the Governments signatories of the International Treaties and Agreements.

which deal with these questions, and within the framework of which they must be envisaged, will achieve as soon as possible a general settlement of the problems of reparations and inter-allied debts;

“And it further recommends that the Council shall devote constant attention to every effort made in this direction by the Governments concerned, it being understood that it can only usefully assist in the solution of these problems if requested to do so by the Governments in question.”

M. de Jouvenel then continued: I must ask permission, Gentlemen, to make certain comments on this Resolution. The day before yesterday, when you had just defined for the first time by a unanimous vote the practical form which the reduction of armaments should take, and at the moment when you might have imagined that your work was over, Lord Robert Cecil rose to ask you to continue; he called upon you, after having laid down the future conditions of peace, to give consideration to the immediate conditions, and I at once supported his request. It is, indeed, of the greatest importance that the League of Nations, after having drawn up a diplomatic and military formula for disarmament, that is to say for peace, in the Treaty of Mutual Guarantee, should proceed to elaborate a political and economic formula.

It is desirable that all the terms of the problem should be defined and the extent of our obligations and of our rights limited. I feel that that duty is all the more incumbent upon me on account of the statement contained in certain articles in the German Press, that France had requested the League of Nations to convene an international conference to deal with the question of reparations and with that of inter-allied debts. There is no ground for making so contradictory and even absurd a supposition at the very moment when the French Government, in conjunction with the Allied Governments, is organising a Conference at Brussels for the settlement of these questions. It must not in any way be imagined that the international methods of the League of Nations override national methods, or that the League may encroach upon the rights of States and deprive them, up to a certain point, of their liberty. That is the very reverse of its object. The establishment of freedom within national boundaries has enabled parties which formerly oppressed each other in consequence of the different views which they held, to co-operate and develop in harmony. In the same way, the establishment of the League of Nations must enable national movements to develop on their own lines.

It is, however, certain that when questions of such importance arise which so closely affect the peace of the world, the representatives of world opinion here present cannot refrain from expressing their opinion.

It seemed impossible to the French Delegation to reply:—France has nothing to say. On the contrary, I welcomed in Lord Robert Cecil's proposal an opportunity of presenting in its real aspect, the true feeling of France. I do not know whether it was desirable, in view of the part she plays in the life of mankind, that after the sufferings which she has borne for four years she should have to bear in addition the moral suffering of being the victim of an international slander. But I know how profoundly she suffers from not being understood.

The other day M. Lange offered a tribute to France which must have seemed to him a perfectly natural one, recalling the fact that it was impossible to attribute to her any sort of responsibility for the war, for the very reason that before the war she had withdrawn her troops from her frontiers. I thought, as I listened to him with gratitude, that if I were to express to him the emotion and gratitude which I felt, he would be sure to say to me with his usual candour of expression and speech: “But it is perfectly natural; I have only performed an act of elementary justice, and you have no occasion to thank me.”

That is all that France demands to-day: elementary justice. I know how difficult it is to realise the situation and not to be struck by the apparent contradiction, nay, the paradox that a victorious nation, whose generals have led to victory the armies of all civilised peoples, and which has in four years reaped enough glory for centuries to come, should, nevertheless, after its victory, plead for justice.

One is tempted to reply: “Does she ask for justice? Has she not executed justice?” No, she has not done so in the ancient cruel sense of the word. We have not executed it, because, in order to spare mankind a few days of war, just as at the beginning of the war we withdrew within our frontiers, so at the end of the war we did not carry victory beyond our frontiers. Why not? Because for us victory meant only two things: security and reparations.

Have we at least obtained security? Have we had reparations? When the Prime Minister of France laid the Peace Treaty before the Chambers, he declared to the representatives of a country, which, it must not be forgotten, had undergone five invasions in five quarters of a century, which checked the first at Valmy and the last at the Marne, and has on three occasions seen the invader in its capital: “I do not bring you either a strategical frontier or strategical security, but I bring you the moral security of the American and British treaties of mutual guarantee. Apart from that,” he added significantly, “we have nothing.”

Where is the American Treaty of Guarantee? Where is the British Treaty of Guarantee? We have nothing.

With regard to reparations, we have at the present moment spent 84 milliards of French money in the restoration of our devastated regions. How much of these 84 milliards is German money? Not a franc!

In the matter of security, nothing! In the matter of reparations, nothing!

That is not all. I must ask you for the moment to follow me still further. The share of France in the German debt has been fixed at 52 per cent. I do not intend to discuss this figure of 52 per cent., and I take it as it stands. Under the most favourable supposition, that is to say, if the Agreement of 5th May 1921 were to be executed in full, and if Germany were to pay annually—it is far from being the case—three milliards of gold marks in cash, France would receive 52 per cent. of these three milliards, that is to say, 1,560 million gold marks.

We should have 1,657 million gold marks to pay each year on account of our debts towards our Allies in accordance with the American scheme which fixes the amounts and periods of payment, by applying to France's debt to England the same conditions of payment as to the American credits; but we should only receive 1,560 million, which would mean that we should have a deficit of 87 million gold marks or 300 million francs, and in addition to this the damage occasioned by invasion would have to be paid by the victims.

For these reasons, France, having gained the victory, demands justice.

But do not imagine that France is thinking only of herself. If that were so, she would have altered very much, and four years, however full of sacrifice and grief, are not sufficient to change the character of

a nation. No, France will make a great effort; she has already begun to do so. If I were to read to you the resolutions of the Governments and the Supreme Council in 1920, you would see that they were unanimous in asserting that the reconstruction of the devastated areas was the primary condition for the reconstitution of Europe.

The Financial Conference of the League of Nations held at Brussels expressed the same opinion.

France, having already spent 84 milliards on reconstruction and having therefore proved to the inhabitants of the devastated areas the solidarity of the whole nation, considers it indispensable that the solidarity of Europe should be demonstrated, without waiting for the intervention of the United States.

We eagerly await the moment when the League of Nations will receive the United States among its Members, and we are convinced that only then will the League of Nations reach its full development, and that the difficulties of Europe cannot be completely solved without the intervention of the United States. But we must not wait for the United States, now any more than we did during the war.

To adapt an old adage, Europe must say to itself "America will help those who help themselves."

France is ready to take part in this work of European collaboration and is not thinking solely of her own case.

When France surveys the situation, she fully realises the misery which is accumulating in Europe, both in countries with low rates of exchange, which can no longer purchase goods and whose financial situation is worse than her own, and in countries with high rates of exchange, which are unable to sell, and whose economic situation is also perhaps worse than her own.

All this must be remedied, but how can that be done? We must collaborate in restoring the normal progress of civilisation. What was the object of the great power and the great economic and financial work of civilisation? It has been the creation of world prices for goods. An article used to be worth more or less the same price in New York, London or Tokio, and this international price was being continually reduced owing to more scientific organisation of production, to transport facilities, and to the establishment of factories nearer to the supplies of materials. The war has destroyed this system, and peace has not re-established it, because peace has not overthrown the barriers which have been raised by the war; economic and financial peace has not yet been concluded.

To-day each country has its own prices and currency, as in the early stages of civilisation.

Why is this? It is because Europe, having entered a moratorium period in 1914, has not yet emerged from it. The Treaty of Peace has laid down principles but has not calculated the cost of applying them. The agreement concluded in London in May 1921, which approximately fixed the German debt, did not organise the means of securing payment.

And the result is that on the one hand Germany has been allowed to believe that it would be to her interest not to pay, and that she could escape the obligations both of economic laws and of the laws of international morality; on the other hand the European countries which took part in the war (leaving France out of consideration), after calculating on one side of the account the losses they suffered during the war and on the other the sums placed to their credit for reparations, have perceived that they have more on the debit than the credit side; and no country knows exactly what it owes. Some countries even considered the question of their debts from the point of view of morality; and no State proved itself capable of fulfilling the first condition of international or national recovery, which consists in drawing up a balance sheet and taking stock of the situation.

We now ask you to put an end to the moratorium period and to initiate the period of definite solutions. We ask you to consider the solutions in their relation to the treaties and international agreements. The reason for this is that we must not forget that the Treaties of Peace, which are far from perfect from the economic and financial point of view, have nevertheless broken the chains of oppressed races and have liberated peoples. A treaty which has obtained results such as these cannot be seriously challenged.

The primary condition of peace is the observance of international agreements: once a pledge is broken there is no knowing how far that first breach of faith will lead.

Revised treaties are tantamount to violated neutralities; the essential condition of peace, the primary treaty of mutual guarantee is the treaty which each nation signs with its own conscience, and by which it avers that it is true to itself and respects its signature.

Fortunately for the solution of these problems, there is no need to revise treaties; it will be enough to revise or rather to cast up accounts. In conformity with Lord Robert Cecil's proposal, it will be enough to link the problem of reparations with that of inter-allied debts, as these two problems cannot be solved independently, but the solution of the one depends on the solution of the other.

These questions are like the States that are dependent on one another; there must be a desire to conclude an economic peace in order to ensure political peace; there must be a desire to reconstruct Europe without waiting for foreign aid; there must be a desire that Europe shall assume as her first duty the mission of obliterating the traces of war by obliterating the traces of invasion. Finally, all nations must tell themselves that no individual nation can save itself, and that they have only the choice between joint responsibility for reparation or joint responsibility for disaster.

MR. FISHER (Great Britain) presumed that the proposition presented by M. de Jouvenel was intended to be substituted for that put forward by Lord Robert Cecil at the last meeting of the Committee, and he (Mr. Fisher) was prepared to accept it for three reasons. Firstly, because it drew attention to the great importance of solving the problems of reparations and of inter-allied debts. It might be said by a critic of M. de Jouvenel's proposition that its importance was somewhat over-rated. These problems were not, of course, the sole issue standing between Europe and a complete scheme of disarmament such as was sketched in Lord Robert Cecil's resolution. They had to take into account the memories of the war, and the feelings of resentment, the legacy of the war, nor could they leave out of account the ambiguous position of Russia; but they all admitted that the problems of reparations and inter-allied debts were great problems calling for all the resources of European statesmen to solve in order to arrive at that measure of mutual confidence, peace and tranquillity for which the populations of the world yearned. Secondly, because it emphasised the importance of a prompt solution of complicated and difficult economic questions. Statesmen in various countries had been endeavouring to arrive at some arrangement which would meet the economic needs of the situation, but hitherto they had failed. There had been individual differences of opinion as to the best method of carrying out the common policy of reparations, but there had been no difference of opinion between the Governments of France and England as to the right of France to have reparation for the devastations caused by the invading armies of Germany. There was not a single Englishman who denied the right of France to reparation or Germany's obligation to pay. He

agreed with M. de Jouvenel that it was vital in the interests of Europe that there should be found as soon as possible acceptable and workable solutions of these difficult problems.

In the third place, he welcomed M. de Jouvenel's proposal because it appeared possible that part of the problems might at some time be referred to the League of Nations for consideration at the invitation of the inter-Allied Powers themselves. He thought he was not wrong in reading that interpretation into the proposition, and unless he was greatly misled the general tenor of the document produced by M. Jouvenel was intended to provide a postern gate, as it were, through which, assuming a solution could not be found in the normal way by negotiation, the Council of the League might be called into action. The League had now become established, it had already had the Silesian question referred to it when agreement appeared to be impossible, and had found a solution.

M. de Jouvenel had spoken of the international calumny to which France had been exposed. Great Britain also had suffered from attack, but he (Mr. Fisher) did not wish to go into that as they were notoriously mysterious nation lying in a remote and barbarous part of the world, and could not always be expected to be understood. But the common sacrifice, the common effort, England and France had made during the war was a memory which would always exist as an important element in the political life of England. They had too many graves in France ever to forget it.

He (Mr. Fisher) heartily re-echoed M. de Jouvenel's words when he spoke of the importance of eliciting the support of America. He regarded it as one of the greatest calamities of civilisation that at the end of the war the powerful and impartial influence of the American Republic was withdrawn from the peace negotiations, and he trusted the time was not far distant when that great and free Republic would bring to the aid of Europe that impartiality and judgment which she represented. But there was another Power whose assistance was necessary if the reparations problem was to be adequately solved, and that Power was Germany. There were many elements in German public opinion which gave cause for extreme disquiet, and the attitude which had been recently taken up by many important German organs towards the League of Nations gave evidence of a temper which would not contribute towards the settlement of the European difficulty. He hoped, however, he was right in thinking that there were signs of a more rational feeling among the great leaders of business opinion in Germany. Surely business instinct, if nothing else, should lead German opinion to welcome a rational and moderate solution of the problem. It was to be hoped that the economic distress at present existing would cause Germany to listen to the voice of reason and co-operate in the solution of this great problem. He agreed with M. de Jouvenel that Treaties must be strictly observed, but if at any future time the Council of the League of Nations should be asked to solve any part of the problem, he thought a certain departure from the strict text of the Treaties would be necessary, as at present they only allowed of the question being dealt with by the Reparations Commission.

He had great pleasure in associating himself with the proposition which had been made by M. de Jouvenel.

M. HYMANS (Belgium) then rose to speak: We have just heard remarkable speeches which I am convinced will be noised abroad and will produce a profound impression on public opinion. You will understand, gentlemen, the intense emotion and the anxious attention with which the Belgian representative has listened to them.

Belgium has a right to reparations. Justice requires it. Common fairness demands that the aggressor shall repair the damage he has done. Belgium is in dire need of these reparations in order to re-establish her financial situation. I, for my part, adhere to the spirit of the proposals which have just been laid before the Committee and which are somewhat akin to the idea I outlined when the report on the work of the Council was being discussed. More especially I suppose M. de Jouvenel's proposal, which appears to me a concise, practical and politic statement of the ideas set forth by Lord Robert Cecil.

Lord Robert Cecil and M. de Jouvenel have given prominence to the thought which is in all men's minds, but which they have long hesitated to utter aloud, *i.e.*, that the problem of reparations and of the inter-allied debts which is oppressing Europe is an obstacle to the spirit of pacification, that it fosters the spirit of war by fanning passion and resentment, and that it bars the way which should lead to the re-establishment of political and economic harmony in Europe.

At the risk of failing in the exercise of its functions, of failing to justify its existence, I might almost say of failing in its duty, the League of Nations cannot fain ignorance of such a problem, nor yet pass it by, blind and deaf to its urgency. The League must face the problem, and it is natural and legitimate that, according to the terms of M. de Jouvenel's proposal, we should submit the following recommendation:—

“That the efforts of the Governments concerned, who are negotiating the solution of reparations problems by other methods and on other lines, should reach a practical and just solution and that the Council should devote constant attention to their laudable efforts.”

We shall all be unanimous in adopting such a resolution, as it is well understood that the Council, several of whose members represent Governments now engaged in seeking the solution of the reparations problem, cannot take note of it unless the Governments concerned agree to request it to do so. I imagine that such is M. de Jouvenel's idea. (M. de Jouvenel signified his assent.)

I have felt an imperious desire to second the noble and generous ideas voiced by the previous speakers. In conclusion, I should like to express to the Committee a sentiment which is no doubt essentially Belgian, but which, I am sure, will be shared by the representatives of all the small countries present on that Committee, *viz.*, the joy of seeing manifested in such noble, moving, and eloquent terms the sincere agreement of two great Powers like England and France who are united by common sacrifices—in which my little country has some share—an agreement which is a lasting guarantee and the most important safeguard of order and harmony in the world.

COUNT TOSTI (Italy) stated that M. de Jouvenel's proposal had the entire approval of the Italian Delegation. Lord Robert Cecil had developed the theory that disarmament was an impossibility if the actual causes of anxiety and uncertainty now prevalent in the world were not removed, and he had shown very clearly the close relation between the question of disarmament and the economic situation of the world in general and of Europe in particular. The speaker would also refer to the gravity of the economic situation, which dominated all problems and questions of a political nature.

Disarmament was one of the essential conditions of European reconstruction, and this in turn depended on the restoration of the economic equilibrium.

The French representative, starting from the premises laid down by Lord Robert Cecil, sought a practical and concrete solution. If, as it seemed to him, the spirit of that resolution and of Lord Robert Cecil's proposal were the same, the Italian representative gladly gave his complete and unreserved support to them—the more readily because Italy (perhaps because she had suffered far more severely than the other great Powers from the immediate economic consequences of the war) had been the first to proclaim the close connection between the economic and political questions which have been troubling the world since the end of the war. Such had been Italy's line of conduct at all international assemblies or discussions with her allies, from the Conference of San Remo to the Genoa Conference; moreover, that line of conduct was entirely based on public opinion.

In the first paragraph of M. de Jouvenel's resolution there appeared a truth which, although evident, had not yet been realised, or, at any rate, not yet accepted as the real and effective starting-point of any attempt at world reconstruction.

The general reduction of armaments was an outward and political expression of general readjustment, and no general readjustment was possible without economic stabilisation, and without the realisation of social and economic readjustment throughout the world.

Such a proposal had the complete and sincere approval of Italy.

As the next paragraph asserted the necessity for reaching as soon as possible a joint solution of the problem of reparations and of inter-allied debts, it was entirely in conformity with the policy of Italy and of her policy at all inter-allied assemblies.

The third part of the resolution recommended that the Council should give constant attention to all efforts made in the direction indicated above; that sentence was open both to a general and to a specific interpretation.

If it meant that in the investigation of the disarmament question the Council, the supreme authority to which the solution of the question had been entrusted, could not and must not lose sight of the general situation and the economic causes affecting the situation, he had no criticism to make.

But the expression might also mean that the League of Nations would itself be called upon for a direct solution of the question of the financial relations between the various Governments, either of actual inter-allied debts or of reparations obligations.

If such was the intention of the proposal, they would be right in considering—and indeed he thought it was their duty to do so—the consequences which the development of that theory might involve. It was not merely a question of competence which was at issue, that is to say, of settling whether such a proposal could be accepted almost on the eve of a conference between the Governments directly concerned, but it was also a constitutional question, and one of principle; in the idea which gave birth to the League of Nations the direct aim was to keep it removed from all questions which might implicate it in war or in the application of treaties between conquerors and conquered.

In the interests of the League of Nations itself the speaker was anxious to anticipate any divergence of opinion that might arise. However, his anxieties in this respect were relieved by the latter part of the paragraph, according to which the Council cannot offer any suggestion for the solution of the problem unless the Governments concerned ask it to do so; that meant that the initiative in that province would always remain with the Governments concerned, and it would always be for them to decide whether it was necessary or opportune to take steps, and also what means should be employed.

In order to emphasise the importance of this limitation, Count Tosti proposed a slight amendment, to substitute for the words "unless the Governments . . ." the words "unless all the Governments . . ."; this amendment was prompted by the desire to leave the initiative entirely in the hands of the combined Governments concerned, and not, as might be thought at first sight, with the Governments considered individually.

With this reservation, which was fully justified not only as a question of competence but as a question of principle, the speaker, in conclusion, expressed his approval of the spirit of the French Delegate's resolution.

LORD ROBERT CECIL (South Africa) readily accepted M. de Jouvenel's proposal, but preferred it in its original form. As a Member of Parliament of long standing, he considered it unwise and dangerous to change, as Count Tosti suggested, a formula which had been thoroughly discussed, submitted to other delegations and perhaps even communicated to certain Governments.

He did not take exception in any way to Mr. Fisher's suggestion that his (Lord Robert Cecil's) proposal would be withdrawn, but he thought it necessary without altering M. de Jouvenel's text to add a preamble.

In agreement with M. Hymans, Lord Robert Cecil expressed his satisfaction at the understanding which had been arrived at between the representatives of the four Powers concerned and took note of that understanding. Perhaps the resolution did not go very far, and perhaps it did not in itself constitute a settlement of the problems; but it did at any rate point out a way, and showed the possibility of making an appeal in the last resort to the League of Nations.

Such results would compensate for a great deal.

Lord Robert Cecil supported Mr. Fisher's statement, according to which nobody doubted the justice of the French and Belgian claims in the matter of reparations; if there had been differences of opinion, they referred solely to the method to be employed in order to attain the best and most practical results. They had not only to settle how much was to be paid, but also the possibilities and the method of payment.

He did not conceal from the Committee that, although he accepted M. de Jouvenel's resolution, he would like to have gone just a little further in some respects, or rather, perhaps, he would like to draw definitely some of the conclusions which seemed to be implied. M. de Jouvenel had said with great force, both in his speech and in his resolution, that the non-settlement of these questions was causing widespread distress and even disaster in the countries of the world. To him it seemed a logical conclusion that all those countries should be ready to take their share of responsibility in the settlement of those questions. Again, M. de Jouvenel said, and he agreed with him, that the League could not usefully intervene without the consent of the signatory Powers. He thought he should have liked to turn the phrase round and to say rather that the League could intervene usefully if the signatory Powers requested it to do so.

But he agreed, not only with the Resolution to the full extent to which it went, but still more, if he might be allowed to say so, with the admirably lucid and courageous speech with which M. de Jouvenel

had introduced it. He agreed, he thought he might say, with every word of that speech, not least the extremely able and searching criticism of the uncertainty produced by the essential features of the financial settlement arrived at at Versailles. He most fully agreed with what M. de Jouvenel had said. There was nothing in finance so bad as uncertainty; there was nothing so bad either for debtor or for creditor as not to know exactly what was owed and exactly what might be expected to be paid. The uncertainty which had hung over Europe and indeed the world arising from that unfortunate draft had been, he thought, a great disaster and one which would be worth an infinity of pains to clear away from the financial atmosphere.

Certain things which M. de Jouvenel had said were, if he would allow him to say so without impertinence, not only very true but immensely valuable. He agreed most heartily with him when he dwelt on the world importance of that question and the urgency of the settlement. He felt it as strongly as M. de Jouvenel did. It had been put with immense force in the sentence which he ventured to quote from the Financial Committee of the League: "It is our firm conviction that it is hopeless to expect the economic welfare of the world to be restored until the problem of inter-governmental indebtedness is solved in a sober and practical manner." He thought that was absolutely true, and it was very well that it should have been stated with such force and lucidity by the representative of France.

He agreed most fully also with his statement as to the complete inter-connection between the reparations question and that of the allied debts. He agreed when M. de Jouvenel went further than that and said that all those questions were inter-connected and could not be separated. That was the fundamental conception on which the League of Nations was founded, the inter-dependence of nations, the fact that the amount of interests which were common was so immensely greater than the amount of interests which were opposed to one another. That was the fact, the actual fact, not a visionary theory, but the actual fact of life on which they had built their League; and because he was satisfied that that was a real fact he was satisfied of the permanence and prosperity of the League in the future.

Lastly might he say how much he agreed with M. de Jouvenel when he said—he was quoting from memory—that the war had been almost equally disastrous to conquerors and conquered. No one won a war. The only difference was that some lost it more and some lost it less. Those fundamental truths, so brilliantly, so eloquently, so forcibly expressed, would, he was satisfied, be of great importance far beyond the walls of that room, and he ventured, therefore, very respectfully to thank M. de Jouvenel and to accept his proposal with great gratitude.

M. MANOLESCO-ROMNICEANO (Roumania) felt that when countries which had suffered devastation were in question, he could not help recalling that Roumania was one of the victims which had suffered most cruelly. She had suffered from invasion, with all its attendant evils of destruction and devastation. Her communications were completely destroyed when the invader withdrew. As a result of unparalleled efforts, her situation has markedly improved through the consolidation of her Treasury bonds, the payment of her dividends, the establishment of a sane and practical budget, the budgetary surplus due to the improvement in her financial administration, the marked progress in the management, construction, and operation of her railways. Yet, in spite of these efforts, in spite of immense sources of wealth, her economic status was still far from corresponding to her natural wealth on account of the continual fall of the exchange, which prevented her from making full use of all these factors. This fall was due partly to the uncertainty of the situation as a result of the near neighbourhood of Soviet Russia, partly to the issue of a large number of banknotes, partly to the deposits of gold not yet restored by the Soviets, partly again to the general uneasiness prevalent in the country as a result of the reluctance on the part of the conquered to recognise the wrongs they had committed and to repair the evil and havoc they had wrought.

The conquered believed themselves justified in hoping that the solidarity of the Allies during the war, solidarity which led them to victory, would not last long in time of peace; and that in order to evade the obligations imposed on them by the treaties they signed, they could safely count not only on dissensions and discord, but even on rupture between the Allies. Such was the cause of the general uneasiness, for the failure to carry out the terms of the treaties and the refusal to pay reparations would render the application of sanctions inevitable, and such a step would involve complications the scope and gravity of which could not be anticipated. This state of affairs must be remedied by the reconstruction of the devastated areas, and this could be done by settling the inter-Allied debts. It would then be easy to find means for the reduction of armaments.

Thus, while heartily supporting M. de Jouvenel's proposal, he for his own part recommended that the States—all the States—should make every possible effort to ensure the observance and fulfilment of treaties.

M. BRANTING (Sweden) felt that this was a historical occasion, being the first time the Great Powers had proposed to appeal to the League of Nations to solve one of the greatest of the problems which was troubling humanity. The countries which had remained neutral suffered no less from the present situation than did the belligerents. Difficulties were everywhere increasing, and it was the duty of the neutrals to give their full support to all the attempts which would be made with a view to restoring confidence and to initiating the era of the economic restoration of the world.

The speaker thought that in associating himself with the spirit of the resolution so eloquently presented by M. de Jouvenel, he was expressing the feelings of the States which were in the same situation as Sweden. The question of the settlement of debts was closely connected with that of the reduction of armaments, and if economic stability could be re-established, the inevitable result would be an improvement in the situation of the whole world.

Referring to Mr. Fisher's remarks on the necessity for the adherence of the United States, he added that it was indispensable to secure the sincere collaboration of Germany; it was in this way that public opinion in the former neutral countries regarded the possibility of payment by Germany. These payments would be an act of justice, and an agreement must be reached in order that they should be carried out.

The speaker saw in the adherence of Great Britain to M. de Jouvenel's proposal a proof that the alleged misunderstandings between the two great Allies were not insurmountable; and these two countries would afford valuable aid to the other nations in accomplishing that reconstruction which was so necessary for humanity.

M. LE JONKHEER LOUDON (Netherlands) enthusiastically supported the proposal of the French Delegation. He wished, not only to give expression to his personal feelings, but to declare publicly his entire

agreement with this proposal, which summarised in a practical manner that submitted by Lord Robert Cecil.

Although it was true that the League of Nations was not in a position to solve all the economic problems which arose, it was able by using its weighty authority, its prestige, and its increasing influence, to take a step which would have far-reaching consequences by its action in inviting the Governments to take the bull by the horns.

The solution of the economic problem depended on the solution of the financial problem, which concerned every country. It was imagined that some countries had enriched themselves during the war; this was an error. Some individuals and some companies had been able to make their fortunes, but at present suffering was universal.

The League of Nations therefore asked the Governments concerned to solve the great problem. Neither could do anything alone, but the neutral countries had already voiced their united opinion; on the day on which all the Members of the League of Nations should have reached a full agreement, their voice would acquire such volume that it could not fail to be heard.

If the League of Nations succeeded, a great step forward would have been made in solving a vital problem.

Like the previous speakers, he was convinced that all schemes for disarmament, with or without guarantees, would come to nothing as long as the great financial and economic problem had not been solved. For this reason he supported the formula of M. de Jouvenel and Lord Robert Cecil. He hoped that the former neutrals, the small countries which were in the same situation as Holland, would add their voices to his in favour of the prompt realisation of a happy solution.

M. MORITZ (Switzerland) wished in his turn to state the adherence of his country to the proposal submitted in perfect agreement by M. de Jouvenel and Lord Robert Cecil.

It was inevitable, as he had foreseen, that in studying disarmament the Committee could not fail to encounter the question of reparations and inter-allied debts. There would certainly be no vital problems henceforward from which the League of Nations would be excluded; the world had learned in the school of suffering that all problems were interdependent and that it would only escape from the distress and ruin which threatened if all countries made a united effort to obtain reconciliation and peace.

The question of reparations had been discussed, but the right of France to staunch and heal her wounds had never been contested. The questions to be solved had always been questions only of method, practicability and moderation.

M. de Jouvenel's proposal contained a recommendation addressed to the Governments which had signed international treaties and agreements, requesting them to make a common effort; it was understood that the question of reparations and inter-allied debts was primarily the concern of the countries directly interested; it was only if they were incapable of reaching an agreement that they would apply to the Council. In this connection, he had to raise a very delicate question in his sincere desire to serve the cause of peace. As God was his witness, he had no ulterior motive, and he was speaking with the best intentions, being guided above all by his passionate love for the noble, great and glorious French nation. But which were the Governments concerned?

He had understood that M. Hymans referred to the great Allied Governments. He would be glad if he were mistaken, but he thought that among the Governments concerned should be included the Government without whose co operation it was vain to hope that the reparations question could ever receive a satisfactory solution.

By this he meant not only the Government of the United States, but another Government which had been in the minds of the whole world. The League of Nations had also need of the collaboration of Germany, and he was considering the hypothesis that Germany would look towards the League.

Germany had not sent in a request for admission. Frankly, he had hoped that this request would be made this year, and that a unanimous agreement would be reached to open the door of the League to this great conquered nation. Since 1920 Germany's desire to enter the League had weakened; now public opinion even seemed to show some hostility. This was an unhealthy and a dangerous feeling; it was to be hoped that Germany would understand that it was her duty to collaborate in all the enterprises of peace.

Although Germany was not yet a Member of the League of Nations, she would not have to be repulsed when she desired to make overtures to the League.

He had represented his country at the Genoa Conference, and he did not know what the result of the deliberations of the Assembly would be; but one fact would remain through all history, and that was that the Convening Powers had considered Germany and Russia as being entitled to a place on the Political Committee of eleven. This was a result which would have consequences which he hoped to see developed.

21st September 1922 would perhaps become an historic date. The League of Nations was certainly the child of victory, but it had risen above this victory. It could not be merely an alliance of victors, it would have to become a just and impartial League which would pronounce the final words of peace and reconciliation.

THE COUNT DE GIMENO (Spain) stated that the meeting held that day would be much talked of in the political centres of the world; two great Powers, which might have sometimes been thought to hold diverging ideas on questions of procedure and method, had come to an agreement. That was a great step towards moral peace, the basis of political peace.

Together with all people of good-will, Spain congratulated herself on this happy event which had occurred under the auspices of the League of Nations.

MR. H. A. L. FISHER (Great Britain) spoke on behalf of the Japanese Delegate, and stated that the latter withdrew the amendments which he had submitted, with the exception of the one dealing with the third paragraph of M. de Jouvenel's proposal. Was it intended that all non-European nations should be excluded from the regulations contemplated? It would, he thought, be easy to agree on a wording which would be satisfactory to Japan.

M. DE JOUVENEL (France) replied in practically the same words to the three authors of amendments.

Speaking to Count Tosti, he said that the last sentence of the proposed text had precisely the meaning attributed to it by the Italian Delegate. It was quite clear that, in his own mind, he had meant all the Allied Governments; the use of the plural left no doubt in the matter. Agreement with

the Italian Delegate was therefore complete, and he hoped that he would not consider it necessary to insist on his amendment.

He made the same reply to M. Manolesco. He thought that France's loyalty to international agreements and treaties had been sufficiently strongly affirmed by him, both in the text of his resolution and in the commentary he had made upon it France had no need to give further proofs of this loyalty.

The Japanese Delegate must not misunderstand them when they said, "In so far as these questions can be regulated by the unaided efforts of the European nations." This in no way implied that the non-European nations, especially an allied nation like Japan, were not to be associated in the work. Moreover, Lord Robert Cecil would be able to emphasise that in his report, and the fact of their agreement would thus be put on record.

The speaker asked the Committee not to alter the text, in order not to destroy the unanimous nature of their agreement. He requested this with the more emphasis in that certain remarks which had been made by the representative of a neutral country—the speaker was in no way forgetting the obligations of a guest—forced him to say that no doubt could exist with regard to this text upon which the four Allied Delegations had agreed, and no one ought to try to introduce any ambiguity or alteration of the terms.

As Mr. Fisher had just said, they had been in agreement upon opinions and upon principles, but not yet upon methods. To-day they had been fortunate enough to reach agreement upon methods as regards the Allied Powers and thus to have tightened the Alliance, the ties of which sometimes appeared to be slackening. Not only had they realised full agreement between the Allies, but between the greater part of the neutrals. He therefore asked the Committee to do nothing to affect this unanimity, and he congratulated them on having taken the first step towards dissipating the nightmare which had weighed upon Europe and the shadow which had hidden the solidarity of mankind.

M. HONDA (Japan) took note of M. de Jouvenel's statement. The Japanese Delegation had proposed its amendment purely with the object of securing unanimity with regard to the proposal before the Committee. Under the present circumstances, the Japanese Representative could only associate himself wholeheartedly with the resolution; his country had rallied to its European Allies in order to secure the triumph of liberty and still worked with them with the object of achieving the great work undertaken by the League of Nations for disarmament and world peace.

COUNT TOSTI (Italy) withdrew his amendment.

M. MANOLESCO ROMNICEANO (Roumania) also withdrew his amendment, which he had only proposed because he wished it laid down that all States should co-operate in order that the treaties might be respected and put into force.

M. MORTA (Switzerland) was convinced that M. de Jouvenel's words implied no discourtesy, and he would make no criticism in order that the fine, great and noble task undertaken by the French Delegate might not be made more difficult. He would merely affirm that his own words were in accordance with the general outlines observable in the speeches by representatives of the greater nations. He had neither twisted nor forced the meaning of anything; things spoke for themselves; *res ipsa loquitur*.

The discussion was declared closed.

M. de Jouvenel's proposal was adopted with the reservation that Lord Robert Cecil would draft a preamble which would in no way modify the scope of the proposal.

THE CHAIRMAN said it was a matter of great pride to him to have presided at this very important meeting, which proved that the calumnies against the League of Nations which had been spread throughout the world were false, and that the League was full of life. Its action was the best proof thereof.

APPENDIX IV.

Certain Speeches by the Indian Delegates in the Assembly.

ANNEX I.—Speech by Viscount Chelmsford in the Assembly, 18th September, on Opium.

Mr. President, Ladies and Gentlemen, when some few weeks ago I accepted the invitation of the Government of India to come here as the First Delegate for India, I accepted it because I was ready and willing to serve India in any capacity in which it might be thought I might be useful; but I am bound frankly to confess that I came here a profound sceptic as to the value and utility of the League of Nations. A fortnight's acquaintance, however, with the working of the Assembly and of the Committees has made me hope that my scepticism was unwarranted.

I found, in the first place, an atmosphere of general goodwill and desire to co-operate which it would be almost impossible to conceive of unless one was living actually in the middle of it, and I believe it is almost equally difficult to convey to those who are outside the League what that atmosphere of goodwill and co-operation is.

I found, in the second place, the eminently practical handling of the subjects dealt with in the Assembly and in the Committees, a handling which gave the lie to the insinuations which are so often made outside, that the League of Nations lives and moves and has its being in an atmosphere of unpractical idealism.

I found, in the third place—at least I hope I have found in the third place—a sincere determination on the part of the countries which are Members of the League to accept the resolutions of the League and to carry them out effectively and sincerely. These, it seems to me, are the three conditions precedent to success in the work of the League.

Now let me apply these conditions precedent, as an acid test, to the work of the League in connection with the abuses of the drug traffic. May I remind you that this subject of the traffic in opium and noxious drugs is one of those which has been committed to the special charge of the League by Article 23 of the Covenant?

As to goodwill, I am sure that on this point we are all agreed—we who are Delegates to this Assembly—that these abuses must cease. Each one of us has had it brought home to him what the evils and the horrors of the system are, and scarcely a day passes without some miserable story being disclosed in the columns of our Press.

Coming to the second point, the practical handling of this question. I am sure that those who are interested in this subject will have admired the sane and sober manner in which the Advisory Committee on Opium has discussed this question, and the very practical methods which they have advised for adoption by us with reference to it.

It is only when I come to the third condition precedent, namely, the sincere determination of the countries who are Members of the League to carry out the resolutions of the League, that I must confess to some disappointment. Let me take, in the first place, The Hague Convention, which is the key of the whole situation. There are still many—too many—countries which have not yet adhered to this Convention. I was delighted to hear in the Report that the Delegate from Switzerland had announced that his Government and his Federal Council were taking this matter into their very grave consideration. I was also delighted to hear the Delegate from Persia say in the Committee that he had advised his Government to adhere to this Convention. I am sure we shall be more than delighted if by next year we find that the Persian Government has adopted the advice which has been given to them by their Delegation.

The corollary to The Hague Convention consists of that system of Importation Certificates which has been devised by the Advisory Committee on Opium. The explanation of that system has already been given to you and is contained on page 3 of the Report; and I shall not therefore weary you by reciting what that system is. I would remind you, however, that the system in question was unananimously approved last year by this Assembly, and I would ask you to look at the list of the States which have not yet signed or said that they would adopt it. Only one half, I believe, of the States who are Members of this League have signed that agreement, and even fewer have said that they were prepared to carry out its provisions, and this after the solemn approval by their Delegates in this Assembly of the proposals put before the Assembly last year.

I know that Governments are busy; I know that Governments sometimes do not understand; but surely it is our duty as Delegates to jog, in these matters, the memory of our Governments and to endeavour to explain where our Governments appear not to understand.

And behind the Delegate there is the admirable Secretariat of this League of Nations, which is always ready and willing to give the fullest information when information is asked for.

Co-operation, after all, is the essence of the campaign against this traffic, and I sincerely hope that before the meeting of the next Assembly the lists of the non-adherent States in these two matters will be greatly diminished, if not entirely wiped out.

But let me pass on. There is a very important extension proposed of the Certificate System. Delegates will find the proposal in the Report on page 3. This Assembly owes the origination of that suggestion to Professor Gilbert Murray, the representative of South Africa. The Committee, however, when he brought forward that proposal, wanted to be certain that they were on sure ground with regard to it, and so they have referred it, in view of its complicated and difficult nature, to the Advisory Committee, with the request to the Council that if they agree with the Advisory Committee, and that Committee approves of the proposal, the Council will act without further reference to this Assembly.

I think the Assembly will judge of the very great importance of this proposal when I tell them that it will affect two-thirds of the available world supply of opium to non-producing countries. Therefore I look with very great hope to good results from this extension of the Import Certificate system, and I trust that if the Council agree to it there will be no delay over the adherence of the States to this and the other portion of the Import Certificate system.

There is only one other matter to which I would refer, and that is with reference to the statistics required of dangerous drugs. You will find that reference on page 4 of the Report. The Advisory Committee on Opium have informed us that they cannot really advise methods for control of this difficult traffic until they are supplied with adequate and accurate statistics from the various countries on questions of manufacture, import, export, distribution, and consumption. And I must remind this Assembly that the Council of the League have already asked for this information from the various countries which are Members of this League, but up till now only four countries have made the answer which was requested by the Council; they are Great Britain, Canada, France and Italy. And so it comes about that here we are in the Assembly again asking the countries which have sent us here that they will provide the information without which this Advisory Committee says it cannot properly advise on the control of this terrible traffic.

I referred at the outset of my speech to three conditions precedent to the success of the work of the League of Nations. They may have appeared to some to be self-evident, but can it be said, on the facts which I have put before the Assembly this morning, that it has been superfluous to refer to them? I have applied to this traffic the test of these conditions. In the case of the first two conditions, I think we may regard the answer to that test as favourable, but can anyone be satisfied with the results of the test in the case of the third condition? Take, for instance, The Hague Convention, the Import Certificate System, and the statistics asked for. In each of these cases only a fraction of those nations which sent us here have agreed to what we have asked them to agree to, or have furnished us with the information which we have asked for. Until you can get the co-operation of all the nations and all the countries which are Members of this League, which is the essence of the situation, you will not be able to deal with this terrible traffic. With it I am confident that we shall have success, but without it I fear we shall never remove from our midst the dangers, the horrors, the misery which are attendant on the abuses of this drug traffic.

ANNEX II.—*Speech by H.H. the Maharajah Jam Sahib of Nawanagar in the Assembly, 19th September, on Opium.*

Ladies and Gentlemen, my eminent colleague, the chief Delegate of India, in his tactful and eloquent speech yesterday, told us that he came here somewhat a doubter, but is now a convert. Whilst congratulating him and ourselves on this fact, may I testify to the truth of the statement that there is more joy in Geneva over one doubter who is converted than over ninety and nine satisfied souls who need no conversion.

I noticed in the Press this morning, and I was told by Viscount Chelmsford afterwards, that he is described in the local Press as a Hindoo. I take it therefore that his conversion is double and complete.

On the subject of opium I do not claim to be an expert, but it is precisely because I am not an expert that I request to be permitted to say a few words. I am an Indian, and India figures in the general mind as perhaps, *par excellence*, the opium-producing country. Ask an ordinary citizen of most Western nations the question, "Which are the opium-producing countries?" and it is long odds he will at once reply, "India and China." And I rather fancy that any ideas he might entertain about opium would be founded on the sweeping and easy belief that every Indian grows opium and every Chinaman smokes it.

Indeed, it is not too much to say that, outside the circles of expert knowledge, Western public opinion on opium sees nothing except "opium profits" and "opium dens." To the expert and to the well-informed this may appear absurd and even incredible, but it is none the less true enough to be called true.

Does any appreciable number of Western people even know how large a proportion of the opium produced is used by modern medical science in the composition of medicines essential to the best medical practice? I am not, of course, thinking of the ladies and gentlemen who come to this Assembly, and make history, but of the more numerous ladies and gentlemen who stay at home and merely make public opinion.

I wish the "Opium Question" could be called the "Opium Abuse Question." You know the proverb, "Give a dog a bad name and hang him." Well, men are hanged, not only by names that are bad, but also by names that are not good.

It seems to me important that more people should realise that, in certain Eastern countries, including India, quite apart from any abuse of opium and quite apart from regular scientific medical use of it, there is a quite legitimate general and popular use of opium. Quite outside scientific medicine, opium has always been used in India by the people as a home-made medicine, just as various herbs and simples are even now used by the country folk of Western nations.

The aim of our attention to opium here is, of course, the regulation of production and traffic, in order to minimise and eventually to eliminate the detrimental use of opium and of its derivative drugs. State laws and regulations which come to be initiated or come to be improved in consequence of our efforts are of capital importance, and their aim and tenure merit and receive universal acclamation among well-informed and intelligent people.

But I very respectfully suggest to you that it is quite important to recognise that there are—for instance, in India—a large number of people who, on the one hand, do not regard opium as a detrimental product, but as a natural product, and who, on the other hand, have suffered, and still suffer, considerable loss in consequence of State regulation of production. Intelligent opinion in India knows that State regulation of opium has involved a loss of revenue to the Government of about 40,000,000*l.* in the last 10 years, and intelligent opinion is glad that this loss is much more than compensated by the great good that has been achieved. India applauds the result, and is proud to be privileged to make, in so worthy a cause, what it is fair to call a sacrifice. But even intelligent opinion sometimes overlooks the fact that the loss to producers has been not 40 millions, but about 120 millions. Remember that India is, per head of population, a poor country, and in particular the cultivators are poor, and they form the large majority of Indians in India. Much of the sacrifice falls on them—some of them are hard hit by it—and they do not appreciate, because they do not know, that they are sharing in the suppression of a grave abuse.

I may be wrong, but I do not think enough attention has been given to spreading among the people who bear the sacrifice such information as would enable them to understand that their loss is a great blessing for others. It is an old saying that laws without moral assent are vain; and moral assent much depends upon full information.

There is another point. Although India produces a large amount of opium, and consumes in the aggregate a large amount, India has a very large population, and is a very small consumer of opium per head per annum, especially when one remembers that opium may be regarded as the Indian parallel to wine and beer in Europe and America.

It may not generally be known, but I believe I am perfectly correct when I say that Indian soldiers after a long march regard a very small dose of opium in the same light as European soldiers regard a cup of tea or coffee or cocoa, or a glass of beer or wine. What is more important (and I do want to impress this upon your mind) is that medical practice gives its assent to such use being made of it. Then, again, the labouring classes in India, after a hard day's work, regard opium just as a European workman regards tea or his beer. Then, again, old people in India take opium as a useful assistant to the disabilities of old age, just as in Europe old people take their native stimulants. I want to impress another thing upon you, that in India, which is a hot country, a sedative is essential. In Europe, which is a cold region, a stimulant is necessary for the blood. Beyond this, opium is not only scientifically but popularly used in India, and largely used—it may be a surprise to all—as a veterinary medicine. India has many cattle—I think the number is 175,000,000 of cattle—and besides that there are any amount of camels and donkeys and horses. I believe the figure of the latter is about 5,000,000.

Now if you take the total annual consumption per head of population in India, what does it amount to? It amounts to two grammes per head per annum, and that is about the weight of about two-thirds of an ordinary lump of sugar. But when you take into account the veterinary use which is made of opium, I believe, even if you take the sum of opium which is taken by human beings as the same as that taken for cattle, which is not the case, it reduces the two-thirds of a lump of sugar to one-third. So you cannot rate India as an extravagant consumer of its native equivalent of Western liquors.

In this connection I may further add that no one would think of calling that great country, the United States of America, an opium-consuming country, and yet, no doubt for very legitimate and proper

purposes, I am reliably told, and I believe it, it consumes about twice as much opium as India. Of course, my figures are, as we say here, globular, and that also reminds me that opium is not smoked in India, but is eaten in a globular form. However, my main point is to suggest to this Assembly that international and national regulation of opium should not leave out of account the importance of informing the people of India, who feel the incidence of such regulations.

Further (and I do want to emphasise this), India, while applauding the policy in question, would like to be assured that the loss to the innocent Indian cultivator does not mean gain to other countries.

I do not desire to challenge the statement of the honourable Delegate for China, because the contention that the neighbouring countries export opium to a large extent has been so far exploded by the Committee on Opium that I think it would be futile for me to attempt to do better than that Committee has done. Finally, I do desire to add this, that however desirable it may be, it is none the less difficult, when the economy of our daily lives is affected, and badly affected, for all of us to be philanthropists all the time.

ANNEX III.—*Speech by Sir Sivaswamy Aiyer in the Assembly, 20th September, on Mandates.*

Ladies and Gentlemen, I come forward to support the resolution which has been moved by Dr. Nansen, and in doing so I wish to make a few brief observations on matters of general interest to the Assembly which have been suggested to me by a study of the reports of the mandatory Powers. I desire to associate myself with the tribute which has been paid to the members of the Permanent Mandates Commission for the admirable solicitude which they have displayed for the welfare of the populations committed to the charge of the mandatory Powers and for the scrupulous regard which they have shown for the letter and the spirit of Article 22 of the Covenant.

No question has escaped the watchful eye of the members of the Permanent Mandates Commission. It is satisfactory to learn from them that forced labour is wholly or practically unknown. It is interesting to find that the members of the Mandates Commission draw attention to the features attendant upon the system of indentured labour which has been introduced into some of these territories. They call attention to the social dangers which are inseparable from a system of indentured labour. Explanations have been given by the Representative of New Zealand, but I am not certain that they are quite reassuring. One reason why the women in China are unwilling to come forward is said to be that they demand the same conditions of work and the same pay as the men. That, I think, is a demand which is reasonable enough and which, I think, we cannot complain of.

It is also said that the three years' indenture under which the labourers are imported allows too short a period for the Chinese labourer to learn the language or to associate with the natives of the country. I am afraid that these circumstances are not sufficient guarantee against the dangers which are only too likely to follow the exclusive importation of male labour.

We in India have had some experience of the dangers attendant upon the immigration of an exclusively male labouring population, and it has always been the endeavour of the Indian Government in the past to secure a due proportion between the sexes among the immigrants. I have no doubt that the Government of New Zealand, which has displayed so much solicitude for the welfare of the people committed to its charge, will realise the importance of this aspect of the question, and will see that a due proportion of the sexes is ensured among the labourers whom it recruits from China.

Another important question to engage the attention of the Commission is the subject of land tenure. There is no tendency more common among modern lawyers than to read back their conceptions into the past, or to extend them into the interpretation of the rights and usages of primitive communities. We have a tendency to imagine that unless rights of ownership are proved by the same or similar acts of exercise as we are accustomed to expect in civilised communities no such rights exist. That is a danger against which we have to be on our guard.

It is a matter for satisfaction that the members of the Permanent Mandates Commission have resolved to call for the land laws of the different territories committed to the charge of the Mandatories and to study this question further.

An extremely dubious claim has been put forward in the French mandated territory to what has been called the private domain in the State. I have no doubt that this matter will also receive the searching and careful consideration of the Permanent Mandates Commission in the next year.

Another important question which has engaged the attention of the Commission is the evils which have followed the demarcation of the boundary between Belgian East Africa and Tanganyika. The recommendations of the Commission are drawn up with a due regard to the susceptibilities of the Great Powers, and the resolution of Dr. Nansen is also couched in extremely modest terms. Speaking for myself, I should have preferred to accord a more emphatic endorsement to the conclusions of the Permanent Mandates Commission. I should have preferred the language of the Marquis Imperiali when he recommended his draft resolution, in which he invites the Council to draw the attention of the Powers to the recommendations of the Permanent Mandates Commission. I should have liked to ask the Council to express its hope that the boundary between Tanganyika and Belgian East Africa may be so rectified as to avoid the dangers which have been pointed out by the members of the Commission.

But though the resolution of Dr. Nansen, or rather of the Sixth Committee, has been couched in very modest terms, with a modesty which becomes us when we deal with the susceptibilities of the Great Powers, I hope that our modesty will be duly appreciated and that the Powers concerned will devote some consideration to the questions to which their attention has been drawn.

Before I proceed further I should like to associate myself with the acknowledgment which has been made by the members of the Mandates Commission of the services rendered by the representatives of Australia, of New Zealand, and of Japan to the Commission in their examination of the reports of these various mandatory Powers.

I should also like to pay a tribute to the solicitude for the well-being of the natives which has been displayed by those various mandatory Powers in their administration of the territories. When Sir Francis Bell made his remarks yesterday, I was wondering what there was in the report of the Mandates Commission which had offended his susceptibilities and called forth the note of warning which he thought it necessary to sound. I have re-examined the report of the Mandates Commission, but I

have not been able to discover anything in that report which could have offended the susceptibilities of anyone. Far from criticising the administration, they extol the virtues and the merits of the New Zealand administration. I should have thought that the Permanent Mandates Commission would have been entitled to expect the thanks of the New Zealand administration, but it is a hard world and it is difficult to please everyone.

As regards the dangers which Sir Francis Bell has spoken of, I am unable to find any departure from the constitutional position which he so correctly laid down. I see no desire or any intention to infringe upon the position or upon the principle which he laid down. The Permanent Mandates Commission has made its report only to the Council, as he says it ought to have done, and it is the Council which has submitted to us the reports of the Permanent Mandates Commission as annexes to its report. We are entitled, as Members of the Assembly, not merely to the opinions of the Council, but we are also entitled to be placed in possession of the material upon which the Council has formed its opinions. I have been unable to discover any impropriety or any desire on the part of the Mandates Commission or of the office of the Secretary-General, to depart from the strict canons of propriety.

Ladies and Gentlemen, it is unfortunate that the South African Union should not have accorded its assistance to the Mandates Commission in the same way in which the other mandatory Powers accorded their assistance. It may have been due to circumstances over which they had no control or to indifference or unwillingness. At any rate, the attitude of the South African Union is open to misconstruction, and I venture to express the hope that when next year the reports have to be examined, the South African Union will be as able and willing as the other mandatory Powers to lend every aid in its power to the Mandates Commission.

It seems to me, however, that it is just possible there may be some misconception in the minds of the responsible statesmen of South Africa with regard to their obligations in this matter. I noticed that in a speech delivered by him some time in September 1920, General Smuts, the great South African statesman, uttered remarks which seem to me to be not quite reconcilable with the true position of mandated territories. He observed that the territories held under the "C" class mandates were practically annexed—that they were annexed all but in name to the territories of the administration of which they formed a part. It is quite possible that in this view the Premier of the South African Union may regard his obligations in respect of the mandated territories as of a purely temporary character, and it may be that in this view these obligations sit rather lightly upon him. But I venture to think, with all deference to that great statesman who himself was in no small measure responsible for the theory of mandates, that the territories held under the "C" class mandates cannot possibly be treated as annexed to the territories with which they are administered. The intention of Article 22 of the Covenant seems to me to be perfectly clear. All these territories which are dealt with under Article 22 are regarded as a sacred trust of civilisation, and they are all to be administered as a trust estates, and it is only the method and the manner of the administration which varies in the "A" class, in the "B" class, and in the "C" class mandates. General Smuts seems to have relied upon the fact that in the mandates applicable to the "C" class territories they are to be administered as an integral part of the territories to which they are attached; but that expression is common both to the "C" class territories and to the "B" class territories. You find it in Article 9 of the mandate which applies to the "B" class territories, and you find it in Article 2 of the mandate which applies to the "C" class territories. General Smuts is prepared to admit that the position is different with regard to the "B" class territories. I submit it is exactly the same with regard to the "C" class territories as with regard to the "B" class territories. The trusteeship of these territories is all vested in the League of Nations, and once that trusteeship has been created the Council, which is what may be called the statutory organ of the League, is responsible ultimately for the welfare of these territories. It must be remembered that a mandate is in theory and in essence revocable. These "C" class territories are a separate legal entity, and all possess the indestructible potentiality of independent existence.)

(Article 22 of the Covenant marks a new era in the conception of white races as to their obligations to coloured races. The idea that coloured races have rights may not be a new one, but it is the first time that it has been mooted in a solemn document of first-rate international importance like the Covenant of the League of Nations, and it is the first time that safeguards and machinery have been provided for the fulfilment of the obligations implied in this conception. Whatever lip homage the idea may have commanded in the past, it is the first time that it has secured moral acceptance and real adhesion. The Commission observes that the prosperity and well-being of the aboriginal population is in inverse ratio to its contact with the colonisation of its former masters. The British member of the Commission said that in South Africa there was a most striking example of the destruction of the organisation of a native population by the invasion of a white civilisation.

I hope that these chapters in the history of the contact between the white and coloured races are closed for good, and that we shall be able to look forward to a reign of humanity and justice.

Even now we hear of the centre of gravity in international affairs being gradually shifted to the Far East and to the Pacific coast. But why? Let only the nations of the earth give up their earth hunger and their rivalry and cupidity for markets, and their desire to appropriate vast uninhabited continental spaces, we shall then be free from the chances of strife and conflict. It is only to the extent that we are able to conquer these cravings for land and for markets, and to the extent that we are able to conquer the vulgar though deep-seated prejudice of colour, that we shall be able to realise the ideals of humanity and justice, and then, and then only, will this Assembly become a real federation of the world and a lasting bond of peace.

ANNEX IV.—*Speech by His Highness the Maharajah Jam Sahib of Nawanagar, in the Assembly, 21st September, on Minorities.*

Mr. President, Ladies and Gentlemen, will you permit me to crave your indulgence for a few minutes on the subject of minorities.

A few days ago we listened with very appreciative attention to a speech on this question by Professor Gilbert Murray. No doubt your interest was stimulated by the personality of the distinguished Delegate of South Africa, who is the very man a Delegate to this Assembly should be, a wide-minded politician, a great name in literature and scholarship, and a very great practical idealist. No doubt, too,

the admirable form and matter of his speech attracted you. But I cannot help feeling, from the way in which you received his speech, that the sense of this Assembly itself is sympathetic to the questions as to minorities, and that it is alive, and very much alive, to their importance in the fabric of the new and better world which it is your aim and object to build and which you are building; it is your evident sympathy and alertness, where minorities are concerned, that encourages me to address you here to-day.

Professor Gilbert Murray very wisely and very rightly pointed out that the question of minorities is not merely a humanitarian question, but that it is also a political question, and he said that we must spread general contentment with the new distribution of Europe, or the new distribution of Europe will not endure.

Mr. President, Ladies and Gentlemen, there are minority questions outside Europe, and the political order outside Europe, in other continents, even, where distributions are of older standing, will not be happy, will not be contented, will not be completely stable as you would have them while any open sores remain unhealed. Africa, for example, does not always produce novelties—even, I am glad to say, in the case of her Delegations to this Assembly. Africa sometimes reproduces what is very well known in Europe. In short, we Indians have what are to us insistent and irritating minority questions in Africa. I have every hope that at least one African minority question will soon be satisfactorily settled on a proper and just appreciation of its merits by the British Government.

So I will confine myself to the outstanding questions of the minorities which are under the South African Government. I refer, therefore, to the position of the Indian communities in South Africa under that Government. These are genuine minority questions which are of somewhat long standing; and my purpose is not at all to bring before you the cases specifically, which perhaps would not be in order. But I have a very distinct purpose, and it is to appeal—and you may regard it as a personal appeal if you wish—to the Delegates of South Africa here present; and, by the very token that they are the declared champions of the rights of minorities, to ask them to influence their Government, when they return home, in favour of satisfactory settlements of these particular minority questions, which are their very own. I address my appeal to them through you all, because I feel very strongly that the atmosphere of sympathy and good feeling with which this great Assembly cannot fail to endow such an appeal, will give that appeal a vivid human power such as it could not obtain elsewhere. I want the spirit of the League of Nations, which is incarnate in this Assembly, to grant my appeal its aid. I should feel false to my fellow-countrymen in India, and also to my fellow-countrymen in South Africa, were I to neglect this unique opportunity of summoning to the assistance of their aspirations the spiritual power and the spiritual blessing of your sympathy.

Remember, Ladies and Gentlemen, this is not a matter which concerns merely my nationals in South Africa alone. Their interest is immediate to them, and they may be mere thousands; but there also is a strong fellow-feeling in the hearts of many millions of Indians in India itself. These matters are, therefore, not merely causes of discontent locally in South Africa; they are causes of discontent all over India in a population approaching one-fifth of the human race. But more than this, if the present distinguished Delegates of South Africa can induce their Government to settle these questions happily (I know, of course, there are difficulties, as there always are), not only would one house be set in order, but three houses would be set in order.

We of the British Empire are a big family. The British mother has taken to her bosom the grizzly bear, the kangaroo, the lion and the ostrich, the tiger and the kiwi, and with a family of that description quarrels are bound to occur. South Africa would be more contented and more united; the Government of the British Empire would be relieved of a troublesome political reference, and India would be deeply grateful and would feel that an old wound had at last been healed. But happily there is one cardinal virtue in the British Empire, that is when we are attacked by a common foe we are one really happy family, and the elements I have alluded to all unite together in the defence of the Empire.

Ladies and Gentlemen, these minority questions have sometimes wide ramifications, as we all know so well, but, at any rate, I do feel that it is right, that it is fair, here in this Assembly, to remind the South African Delegates, who are such sincere and such shining protagonists of the League of Nations, that other virtues besides charity may well begin at home.

For instance, take political justice. When I see such representatives of South Africa as Lord Robert Cecil, whose value here we all so deeply appreciate, and Sir Edgar Walton, a statesman of great experience and wide outlook, and Professor Murray, the knight-errant of minorities; when I remember that the present Prime Minister of South Africa, an exact contemporary of mine at Cambridge University—on whom Lord Robert Cecil passed worthy eulogy yesterday, and I may say I wholeheartedly associate myself with that tribute of high praise—is not only a foremost supporter of the League of Nations, but has himself in the past suffered experiences which must render him peculiarly appreciative of how poignantly a minority may resent its position; when I am sustained by the atmosphere and spirit of this Assembly, I cannot believe that these minority questions will remain long in their present unsatisfactory state, despite all the difficulties of amendment.

The chief Delegate of India, Viscount Chelmsford, who took such a leading share in the recent political reforms in India, could have addressed you on this subject with greater knowledge and certainty and with superior force of eloquence, but owing to the fact that he would have been burdened with an acquaintance with the many delicate and confidential details of the case, which he could not put out of his mind and yet could not properly put before this Assembly, the task has fallen to my lot. Lord Chelmsford during his great vice-royalty, which saw what are truly epoch-making changes in the constitution, was staunch in upholding the status of my countrymen all over the world. I sincerely hope that some Delegate for India next year, here on this very platform of international amity, goodwill, and universal fraternity, may be able to thank the representatives of Great Britain and South Africa for a final satisfaction of the just aspirations of the Indians of South Africa and of Kenya Colony.

We, in this Assembly, believe that one God made all men to walk erect on one earth; and we believe in one truth and one justice, universal for all men, and it is to this atmosphere and to this faith I make my appeal. But outside this Assembly there have often been two justices, one for the West and one for the East. It is for the League of Nations to engraft its own conception, the far higher, the far better conception, upon the universal practice of mankind. What is our ideal? What is our purpose? What is the very reason of our being?

Let us have catholic justice and we shall have catholic peace.

ANNEX V.—*Speech by His Highness the Maharaja Jam Saheb of Nawanagar, in the Assembly, 29th September, on Intellectual Co-operation.*

• Mr. President, Ladies and Gentlemen, I will try and take up as little of your time as possible because I know that every one of us intends to leave to-morrow and we have got plenty of work still to do. I am sure no one who listened yesterday to the eloquent, beautiful and elevating speeches of M. de Jovenel and Professor Gilbert Murray could fail to be deeply impressed by their presentation of the necessity of providing adequately for the work of Intellectual Co-operation. In Committee No. IV, India opposed any reduction of the appropriation for this purpose, and here in the Assembly I desire most emphatically to support the amendment* proposed by the honourable Delegate of France. I am reluctant to believe that Committee No. IV fully realised what it was doing when it reduced this vote. The idea that the work of Intellectual Co-operation is vague and unpractical, I submit, is absolutely fallacious. Nothing at this moment has greater practical importance than the reconstruction of moral and intellectual values. They are the values on which the salvation of the world depends, the only sure and safe way by which we can pass to a new and better world. If we neglect this way we are courting sure and certain suicide. In any case the League of Nations have taken up this work, and it is absolutely absurd, nay almost futile, to do so at all unless we do it well.

Ladies and Gentlemen, may I submit this point? Does it help a naked man in cold and stormy weather to walk abroad if you give him a coat and even a waistcoat, but refuse him his nether garments? As I said before, you must do this thing well, or not at all. Let me illustrate my point in another way. I see before me here an army of delegates representing 46 nations. You engage, nay almost invite, a guide to lead you through the wilderness to the promised land, and then what do you do? You start by putting out the eyes of the guide. But there is another and even stronger point. Is not the honour of the League of Nations at stake in this instance? We have invited some of the greatest of living men to take up this work, men like Professor Bergson, whose names will be familiar to our children's children. We invited them to do this work. Are we to figure before the world as refusing them adequate financial support in the very task which we ourselves have imposed on them? Surely we cannot do this. I go so far as to suggest to you and very respectfully to urge that whatever else we do we must not refuse to stand by the work of Intellectual Co-operation. The work is vital, the very essence of Bolshevik attack on the existing order is an attack on intellect. Its special instrument of death, its very symbol, is a hammer that beats out the brain.

In financial matters here no nation has stood up more consistently, more strenuously, for economy than India. We have fought hard for economy, and I do so now, for I maintain it is not economy to starve the work of Intellectual Co-operation. It is folly, and you cannot afford to do it.

APPENDIX V.

Speech by Viscount Chelmsford to the Council on the claim of India to be included among the Eight States of Chief Industrial Importance, with reference to Article 393 of the Treaty of Versailles.

In the first place, I desire to thank the Council for its courtesy in allowing me to represent India's case before it to-day. I crave the indulgence of the Council while I develop that case, because I am conscious that the Council might have thought it sufficient for me to have presented on behalf of India a memorandum in regard to this question; but India feels so very deeply on the matter that I felt bound to ask for permission to speak.

In 1919 this matter was decided by the Organising Committee of the Washington Conference, and India suffered a very grave disappointment on that occasion. I happened at the time to be Viceroy of India, and I can very well recollect the strong feeling of disappointment expressed by India when that decision was taken. India, however, showed no pique or resentment in the matter, and when the Washington resolutions were transmitted to the various Governments, India, I believe, was the first country to pass those resolutions into statutory enactments.

India has also, apart from its disappointment over the decision at Washington, been somewhat bewildered by the attitude of the League towards her claims. Two Committees appointed by the Council have been considering questions concerning India, one to consider her capacity to pay towards the expenses of the League, and the other to consider India's status as a country of industrial importance. When it was a question of paying her share towards the expenses of the League, India's population was a large factor in proving India's capacity to pay. When it is a question of the industrial importance of India, India finds that her total population, through the use of the relative criteria, is used to water down the figures of her industrial population.

I need not remind the Council of the way in which this question has come before it, as this has already been described in the report of Viscount Ishii which has just been read, and in the other papers before the Council. I wish to speak now of the report of the Committee to which this matter was referred, and I should like to say at once that I appreciate to the full the skill and industry which has been displayed in that report. I may say emphatically, however, on behalf of India, that I am bound to differ most fundamentally from the principles which have been adopted by those who investigated this matter.

* Motion for an increase of 50,000 francs to be allotted to the organisation of Intellectual Co-operation.

In the memorandum from the Indian Delegates which is before the Council (Annex 426A), India has already subjected the Committee's report to a very searching criticism, and I shall not repeat to-day the arguments which are contained in that memorandum. It may be asked, "What constructive proposal have you to make in place of those contained in the report which your memorandum has purported to destroy?" I suggest that the Committee which investigated this matter need have gone no further than the Preamble to Part XIII. of the Treaty of Peace, and I will ask the Council to allow me to read the Preamble and Article 387 which follows it, because it is upon that Preamble that I shall base India's substantive case to-day:—

"And whereas conditions of labour exist involving such injustice, hardship and privation to large numbers of people as to produce unrest so great that the peace and harmony of the world are imperilled; and an improvement of those conditions is urgently required: as, for example, by the regulation of the hours of work, including the establishment of a maximum working day and week, the regulation of the labour supply, the prevention of unemployment, the provision of an adequate living wage, the protection of the worker against sickness, disease and injury arising out of his employment, the protection of children, young persons and women, provision for old age and injury, protection of the interests of workers when employed in countries other than their own, recognition of the principle of freedom of association, the organisation of vocational and technical education and other measures;

"Whereas also the failure of any nation to adopt humane conditions of labour is an obstacle in the way of other nations which desire to improve the conditions in their own countries

"Article 387. A permanent organisation is hereby established for the promotion of the objects set forth in the Preamble."

I think it is clear from these words that the human element should be the chief concern of the International Labour Office, and, therefore, it is the human factor which must be of paramount importance in deciding what constitutes a State of chief industrial importance. If population alone were to count, India's claim would, I contend, be indisputable. There are, however, two objections which might be urged to this. It might be said that the ratio of the wage-earning population to the total population must be taken into consideration. Why? This is one of the criteria appearing in the report of the Committee, but surely the wage-earning industrial population does not cease to have a claim because it lives side by side with a large number of people with whom the International Labour Office is not concerned? There is a second objection which may be urged, namely, that the trade union organisation of India is rudimentary. There is no mention of any such condition in the Preamble to Part XIII. of the Peace Treaty. Further, I would urge very strongly that for this very reason it is necessary for the International Labour Office to encourage India to perfect its industrial organisation. Consider how useful it would be for the Labour Office, when it is examining the case of backward populations in connection with industries, if it had to help and to guide it a representative of India who was thoroughly conversant with the conditions of the industrial population of that country. Again, India is not reactionary in this matter. I beg to repeat that India was probably the first, or one of the first, countries to convert the resolutions of the Washington Conference into statutory form. I shall not dwell on the question of the population, since in para. 7 of the memorandum from the Indian Delegation the whole of our argument on population is fully developed. I should like to say, however, that whatever figures are taken, whether M. Gini's or our own, and whatever reasonable deductions are made from those figures, the figure of the wage-earning industrial population of India must still remain decisive if the human factor is given the importance indicated by the Treaty.

I pass now to the other criteria which are mentioned in the report of the Committee—railways and horse-power. India is not afraid of being tested by any of these criteria. As regards railways, it appears as third among the list of nations. As regards horse-power it appears as ninth. Why should the development of maritime tonnage be regarded as a criterion? If it is a criterion at all it is a criterion of commercial and not of industrial importance; and even here, if the human factor is taken into consideration, India has 141,000 maritime workers as lascars on British ships, on Indian ships and on ships of other nations. This fact should surely appeal to the Council, if the human factor is taken into account.

Let me make a concrete test of the value of this criterion. I suppose the United States of America before the war, if this test were applied—I mean the test of its development of mercantile tonnage—would not have ranked as a great industrial State at all. Surely, this deduction, as a result of the application of this test, is to prove it, as Euclid says, as absurd. Why not take trade as some indication of the industrial position? When it was a question of India's capacity to pay, the League itself included this criterion in the table designed to settle India's contribution. From the trade figures of 1913, India was ranked fifth; from the figures for 1919 India was ranked third. These figures are taken from Table 2 in the memorandum by the Secretary-General on the Allocation of the Expenses of the League of Nations.

I pass over the relative criteria which are dealt with in para. 4 of the memorandum from the Indian Delegation. I feel sure that anyone who reads para. 4 of that memorandum will realise that it has fully met the arguments in the corresponding part of the Committee's report. Similarly I will pass over the weighting method adopted by the Committee; this would have been unnecessary had it not been for the adoption of the unsound principle of relative criteria.

I proceed now to develop India's substantive claim. I am most anxious to be as concise as possible, and therefore, if the Council will allow it, I will read the last paragraph of our memorandum, because it states that substantive claim as concisely as possible:—

"It remains to justify India's specific claim to inclusion among the eight States of chief industrial importance. India does not ask that her precise position among these eight States should be determined; the difficulties and dangers of attempts at a precise evaluation of merits in such matters are sufficiently obvious from the preceding paragraphs of this note. Her claim is based on broad general grounds, and does not need elaborate statistical methods to justify it. She has an industrial wage-earning population which may be estimated at roughly 20 millions, and in addition a large wage-earning class employed in agricultural work, details of which are given in para. 7 above. Whatever deductions may be suggested from these figures, the outstanding and indisputable fact remains that, consistently with the clear intention of the Treaty, the resulting figure will still be so large that India's position as one of the chief industrial States must be

recognised. Even if for the moment we accept M. Gini's figures, it may be seen that we obtain the following striking tables of the 12 States with the largest industrial population are—

(1) United Kingdom	-	13,000,000	(7) Czecho-Slovakia	-	2,500,000
(2) Germany	-	12,000,000	(8) Poland	-	2,100,000
(3) France	-	8,000,000	(9) Belgium	-	1,360,000
(4) India	-	8,000,000	(10) Spain	-	1,300,000
(5) Italy	-	5,500,000	(11) Canada	-	1,250,000
(6) Japan	-	5,000,000	(12) Switzerland	-	1,000,000

"These, and no others, have an industrial population of 1,000,000 and over. There is a drop of 50 per cent. between the sixth and seventh States in the list, and no system of weighted adjustments can properly be used to exclude the first six from a list of the eight States of chief industrial importance from the point of view of the Labour Covenant. At the same time, India's claim does not rest solely on a population basis. India has a railway mileage practically identical with that of France, greater than that of Germany, and markedly greater than that of the United Kingdom; her maritime workers (141,000) outnumber those of any other member of the Labour Organisation except the United Kingdom; she is one of the large world producers of oil and manganese; her cotton industry is markedly more important than the cotton industries of Italy, Belgium, or Japan; her jute industry has no parallel, and her mills supply the world with packing materials; her coal output is very close to that of Belgium, and only slightly inferior to that of Japan. In the Committee's table of absolute unweighted criteria, India stands fourth, although the population figure on which that table is based has been shown to be very seriously under-estimated."

As practical evidence of India's industrial position, let me remind the Council very briefly of the part she played in the war. In doing so, I am making no appeal to emotion, but merely giving proof that what she did could only have been done by a great industrial State. As regards the mining industry it was her coal that largely equipped all the shipping of the East. Her wolfram, manganese, mica, and saltpetre industries were indispensable to the Allies. It is scarcely possible to conceive how the Allies would have fared without her jute and jute products. Her cotton and woollen industries to a large extent supplied the needs of the British and some of the Allied forces. Her hide industries supplied boots for the Italian and English Governments. The iron and steel industries of India supplied the bulk of the rails used in Palestine, East Africa, and Mesopotamia. India served as a base for food supplies for all the campaigns in the East.

I have almost hesitated to place these facts before the Council, because it might appear that I was attempting to prove too much. India, however, is a long way off and she is scarcely known even in Great Britain. I have been there five years as Viceroy, and therefore am speaking of what I know. If any member of the Council would care to assure himself that what I have said is strictly accurate, there is a book in the Library here from which I have taken these figures, namely, "The Moral and Material Progress Report for India, 1917-18."

APPENDIX VI.

List of the Resolutions of the Third Assembly

	PAGE		PAGE
1. Health Organisation (15 Sept.)	74	21. Russian Refugees (28 Sept.)	35
2. Request of Lithuanian Government to include a new question on the Agenda (15 Sept.)	42	22. The Near East (27 Sept.)	42
3. Traffic in Opium and other dangerous drugs (19 Sept.)	31	23. Reduction of Armaments (27 Sept.)	22
4. Greek and Armenian Refugees from Asia Minor in Constantinople (19 Sept.)	37	24. Organisation for Communications and Transit (28 Sept.)	69
5. Mandates (20 Sept.)	40	25. Obscene Publications (28 Sept.)	36
6. Slavery (21 Sept.)	41	26. Economic and Financial Committee (28 Sept.)	66
7. Protection of Minorities (21 Sept.)	39	27. Deportation of Women and Children (28 Sept.)	32
8. Complaints by the Lithuanian Government relative to the treatment of the non-Polish population in the territory of Vilna (21 Sept.)	43	28. Health Organisation (Temporary Epidemic Commission) (28 Sept.)	75
9. Esperanto as an auxiliary International Language (21 Sept.)	28	29. The work of the Committee on Intellectual Co-operation (28 Sept.)	19
10. The Procedure of Conciliation (22 Sept.)	8	30. Contribution of the State of Salvador to the Expenses of the League (29 Sept.)	13
11. Repatriation of Prisoners of War (22 Sept.)	37	31. Unpaid Contributions (29 Sept.)	25
12. Armenia (22 Sept.)	43	32. Amendment to Article 14 of the Rules of Procedure of the Assembly (29 Sept.)	16
13. Georgia (22 Sept.)	43	33. Selection of the non-permanent Members of the Council (29 Sept.)	15
14. Status of Eastern Galicia (22 Sept.)	43	34. Ratification of the Amendments to the Covenant (29 Sept.)	17
15. Amendment of Art. 10 of the Covenant (23 Sept.)	8	35. Regulations for the financial administration of the League (29 Sept.)	25
16. Amendment of Article 18 of the Covenant (23 Sept.)	8	36. Amendment to Articles 4 and 7 of the Rules of Procedure of the Assembly (29 Sept.)	16
17. Indemnities payable to certain judges and technical assessors of the Permanent Court of International Justice (23 Sept.)	13	37. Allocation of the Expenses of the League of Nations (30 Sept.)	11
18. Increase in the number of the non-Permanent members of the Council (23 Sept.)	14	38. The Pan-American Congress and the Technical Organisations of the League (30 Sept.)	20
19. Traffic in Women and Children (25 Sept.)	34	39. Financial administration of the League (29 Sept.)	90
20. Relief for Refugees in the Near East (25 Sept.)	37		

APPENDIX VII.

Index to Resolutions, Recommendations, and Decisions of the Assembly, in the course of the Third Session.

[The figures in brackets refer to the numbers of the Resolutions.]

	PAGE		PAGE
Admission of Hungary to the League -	37	Health Organisation of the League (1) (28)	74, 75
Anda (Articles IV. and VII. of the Rules of Procedure) (32)	16	Hungary, Admission of	37
Allocation of the Expenses of the League (37). <i>See also "Unpaid Contributions" and "Salvador, Contribution of," below</i>	11	Intellectual Co-operation (29)	19
Armaments, Reduction of (23)	22	Intellectual Co-operation--Estimates for (39)	90
Armenia: National Home for Armenians (12)-	43	International Labour Office (39)	90
Austria	43	Lithuania-Poland dispute (Vilna) (2, 8)	42, 43
Bondelzwart Rebellion (South Africa) (5)	40	Mandates (5)	40
Budget and Audited Accounts (39)	90	Minorities, Protection of (7)	39
Building Sites, Offer of (39)	90	Mutual Guarantee, Treaty of (23)	22
Communications and Transit Organisation of the League (24)	69	Obscene Publications (25)	36
Commission of Control (Supervisory Commission) (39)	90	Opium and other dangerous drugs, Traffic in (3)	31
Conciliation, Procedure of (10)	8	Pan-American Congress (38)	20
• Council of the League:—		Pensions schemes (39)	90
Non-permanent Members of:—		Permanent Court of International Justice:—	
Election of	43	Expenses of	26
Election of, Rules of Procedure for (33)	15	Indemnities to Judges, &c. (17)	13
Increase in number of (18)	14	Polish-Lithuania dispute (Vilna) (2, 8)	42, 43
Work of, Discussion of	5	President and Vice-Presidents of the Assembly, Election of	16
• Covenant of the League:—		Prisoners of War, Repatriation of (11)	37
• Amendments to—		Recoverable Expenditure (39)	90
Article X. (15)	8	Refugees:—	
Articles XII and XV. (10) (Conciliation)	8	Greek and Armenian (4, 20)	37
Article XVIII. (16)	8	Russian (21)	35
Ratification of Amendments to (34)	17	Rules of Procedure of the Assembly:—	
East, the Near:—		Article I. (Meeting of the Assembly)	16
As to a Conference (22)	42	Articles IV. and VII. (36)	16
Relief for Refugees (4, 20)	37	Article XIV. (32)	16
Economic and Financial Committee (26)	66	Rules of Procedure for election of Non-permanent Members of the Council (33)	15
Epidemic Commission, Temporary (28)	75	Russian Refugees (21)	35
Esperanto (9)	28	Salaries Adjustment Committee (39)	90
Estimates (39)	90	Salvador, Contribution of, to the expenses of the League (30)	13
Expenditure of the League (Art. 14 of the Rules of Procedure) (32)	16	Sessions at Geneva, Holding of (39)	90
Expenditure, Allocation of (37)	11	Slavery in South Africa (6)	41
Financial Administration of the League:—		South Africa: Bondelzwart Rebellion (5)	40
Budget, &c. (39)	90	Supervisory Commission (39)	90
Regulations for the (35)	25	Treaties, Registration of (Article XVIII. of the Covenant) (16)	8
Galicia, Eastern, Status of (14)	43	Unpaid Contributions (31)	25
Georgia (13)	43	Vilna (8)	42, 43
Greek and Armenian refugees from Asia Minor in Constantinople (4, 20)	37	Women and Children, Deportation of (27)	32
		Women and Children, Traffic in (19)	34

REPORT

of the

DELEGATES OF INDIA

to the

FOURTH SESSION OF THE ASSEMBLY

of the

LEAGUE OF NATIONS

(1923).

TABLE OF CONTENTS.

	PAGE
Introductory - - - - -	4
Debate on the Report of the work of the Council and on certain Questions arising out of the Dispute between Italy and Greece - - - - -	6
Election of a Judge of the Permanent Court of International Justice - - - - -	6
Question of Procedure for adoption of the Budget - - - - -	6
Election of non-Permanent Members of the Council - - - - -	10
Questions dealt with by Committees :—	
COMMITTEE I.	
Amendment to Article 10 of the Covenant - - - - -	7
Amendment to Article 16 of the Covenant - - - - -	8
Position resulting from the delay in ratification of amendments to the Covenant adopted by the Second Assembly in 1921 - - - - -	9
Rules for the election of non-permanent Members of the Council - - - - -	10
COMMITTEE II.	
The financial reconstruction of Austria - - - - -	10
The work of the Economic and Financial Committees - - - - -	11
The work of the Advisory and Technical Committee on Communications and Transit - - - - -	13
The work of the Health Organisation of the League, including the work of the Epidemic Commission - - - - -	14
COMMITTEE III.	
Limitation and Reduction of Armaments: Treaty of Mutual Assistance - - - - -	15
COMMITTEE IV.	
Budget and general questions - - - - -	17
Contributions in arrears - - - - -	19
Report on the erection of a Hall on the property given by the Canton and City of Geneva - - - - -	20
The allocation of the expenditure of the League - - - - -	20
Deferred Pay and Pensions Scheme; Salaries - - - - -	21
COMMITTEE V.	
Traffic in Opium and other dangerous Drugs. The work of the Advisory Committee - - - - -	22
Traffic in Women and Children. The work of the Advisory Committee - - - - -	24
Protection of Women and Children in the Near East - - - - -	25
Intellectual Co-operation. The work of the Committee - - - - -	25
Validity in all States on a basis of reciprocity of certain Educational Diplomas, &c. - - - - -	27
Refugee Questions: Reports by the High Commissioner - - - - -	27
Boy Scouts and Girl Guides: Passports and Customs Facilities - - - - -	28
Relief Work on behalf of peoples overcome by disasters - - - - -	28
COMMITTEE VI.	
Requests for admission to the League - - - - -	29
Slavery: Report by the Council on information received - - - - -	29
Reports of the Permanent Mandates Commission - - - - -	30
Polish-Lithuanian dispute - - - - -	31
Finnish proposals concerning Eastern Carelia - - - - -	31
Protection of Minorities in Esthonia - - - - -	32
Question of procedure in regard to protection of Minorities - - - - -	32
Questions referred to the Fifth Assembly - - - - -	32
Concluding Remarks - - - - -	32

LIST OF APPENDICES.

	PAGE
Appendix I. Lists of States represented and of Delegations	35
Appendix II. Miscellaneous documents:—	
ANNEX I. Rules of Procedure of the Assembly, as amended by the Second, Third and Fourth Assemblies	38
ANNEX II. Regulations for the Financial Administration of the League, as amended by the Fourth Assembly	42
ANNEX III. Communication from the Council to the Assembly on 28th September 1923 regarding certain questions of interpretation of the Covenant, &c.	48
ANNEX IV. Resolutions of the Advisory Committee on Opium	49
ANNEX V. Resolutions of the Advisory Committee on the Traffic in Women and Children	50
ANNEX VI. Tables showing under the main heads, Expenditure for 1922, Budget for 1923, Budget for 1924, as originally submitted to Committee IV., Budget for 1924, including alterations made by Committee IV. after further scrutiny by the Supervisory Commission, and as finally passed by the Assembly	51
Appendix III. Reports of Committees of the Assembly, &c. :—	
ANNEX I. Report by the General Committee on Procedure of Adoption of the Budget at Plenary Meetings of the Assembly	52
ANNEX II. Report of the First Committee on the proposals of the British Government for the amendment of Article 16 of the Covenant	52
ANNEX III. Report of the Second Committee on the work of the Economic and Financial Commission	53
ANNEX IV. Report of M. Gustav Ador regarding the Financial Reconstruction of Austria	58
ANNEX V. Report of the Second Committee on the work of the Organisation for Communications and Transit	60
ANNEX VI. Report of the Second Committee on the work of the Health Organisation of the League, including the work of the Epidemic Commission	62
ANNEX VII. Report of the Third Committee on the Reduction of Armaments	66
ANNEX VIII. Report of the Fourth Committee on Financial Questions	82
ANNEX IX. Report of the Fourth Committee on the question of contributions still unpaid	88
ANNEX X. Report of the sub-Committee of the Fourth Committee on Allocation of Expenses	89
ANNEX XI. Report of the Fourth Committee on the Cost of Living at Geneva, Salaries and Pensions	91
ANNEX XII. Report of the Fifth Committee on the Traffic in Opium and other dangerous Drugs	93
ANNEX XIII. Report of the Fifth Committee on the Traffic in Women and Children	96
ANNEX XIV. Report of the Fifth Committee on the work of the High Commission for Refugees: (a) Russian refugees, and (b) Bulgarian inhabitants expelled from Western Thrace	97
ANNEX XV. Report of the Fifth Committee on the question of travelling facilities for groups of Boy Scouts and Girl Guides	98
ANNEX XVI. Report of the Fifth Committee on International Organisations designed to take part in the relief of peoples stricken by calamities	99
ANNEX XVII. Report of the Sixth Committee on the question of Slavery	99
ANNEX XVIII. Report of the Sixth Committee on the question placed on the Agenda at the request of the Lithuanian Government	100
Appendix IV. Certain speeches and statements by the Indian Delegates in Committee and in the Assembly:—	
ANNEX I. Lord Hardinge of Penshurst, in Committee V., on Opium (18th Sept.)	101
ANNEX II. Lord Hardinge of Penshurst, in Committee V., on Opium (21st Sept.)	102
ANNEX III. Speech of Mr. Hasan Imam in the Assembly, read by H.H. the Maharaja Jam Saheb of Nawanagar, on Opium (27th Sept.)	102
ANNEX IV. Speech of H.H. the Maharaja Jam Saheb of Nawanagar, in the Assembly, on Opium (27th Sept.)	104
ANNEX V. H.H. the Maharaja Jam Saheb of Nawanagar, in the Assembly, on the question of the League's competence arising from the dispute between Italy and Greece (22nd Sept.)	104
ANNEX VI. H.H. the Maharaja Jam Saheb of Nawanagar, on the same subject (28th Sept.)	105
ANNEX VII. H.H. the Maharaja Jam Saheb of Nawanagar, in the Assembly, on the reductions in the Budget of the Technical Organisations of the League (22nd Sept.)	105
ANNEX VIII. Statement by H.H. the Maharaja Jam Saheb of Nawanagar, in the Assembly, on Allocation of Expenditure (28th Sept.)	105
Appendix V. List of Assembly Resolutions	106
Index	107

REPORT OF THE DELEGATES OF INDIA TO THE FOURTH ASSEMBLY OF THE LEAGUE OF NATIONS (1923).

TO THE RIGHT HONOURABLE THE VISCOUNT PEEL, P.C., G.B.E.,
HIS MAJESTY'S SECRETARY OF STATE FOR INDIA.

My Lord,

We beg to submit our report on the proceedings of the Fourth Session of the Assembly of the League of Nations at Geneva, at which we had the honour to represent India.

2. The proceedings of the Assembly were opened on the 3rd September by Viscount Ishii, as Acting-President of the Council. After the Committee of Credentials had been constituted the Assembly elected as President M. Cosiné de la Torriente y Peraza (Cuba), who obtained 24 votes out of 45. M. Motta (Switzerland) received 19 votes. There were 49 States represented at the Assembly this year, including the Irish Free State, which was admitted on the 10th September (*see para. 73*), and Ethiopia, which was admitted on the 28th September (*see para. 74*). No representatives appeared from the Argentine Republic, Bolivia, Guatemala, Nicaragua, or Peru. A list of the representatives of each State will be found in Appendix I.

See p. 35.

3. On the same day the Assembly set up six Committees (each delegation being free to appoint a representative to each Committee), and adopted their agenda. On the 4th September the Committees elected their Chairmen, who, besides presiding over the Committees, form, together with the Assembly's six Vice-Presidents, the General Committee of the Assembly. His Highness the Maharaja Jam Saheb of Nawanagar was elected Chairman of Committee No. II., this being the first occasion on which a representative of India has been elected to one of these offices. We give below a list of the items on the agenda assigned to each Committee, together with the names of the Chairmen and Vice-Chairmen of the Committees and of the representatives of India who served on each. So far as possible Committees I., II., and III. met on alternate mornings and afternoons with Committees IV., V., and VI. An Agenda Committee was also appointed to examine new items proposed for the agenda.

On the 4th September the Assembly elected the following as Vice-Presidents:— Lord Robert Cecil (British Empire); Viscount Ishii (Japan); M. Hanotaux (France); Count de Gimeno (Spain); M. Fortoul (Venezuela); M. Pusta (Esthonia).

COMMITTEE No. I.

Legal and Constitutional Questions.

Chairman: M. Motta (Switzerland); *Vice-Chairman:* Sir Lomer Gouin (Canada);
Representative of India: Mr. Syed Hasan Imam.

Subjects dealt with by the Committee:—

Item 9.—Amendments to Article 10 of the Covenant (proposed by the Canadian Government).

Item 27.—Amendments to Article 16 of the Covenant.

*Position resulting from non-ratification of amendments to the Covenant.

*Rules for the election of non-permanent Members of the Council.

COMMITTEE No. II.

The Work of the Technical Organisations of the League.

Chairman: H.H. the Maharaja Jam Saheb of Nawanagar (India); *Vice-Chairmen:* Baron Beyens (Belgium), M. Avramovitch (Kingdom of the Serbs, Croats, and Slovenes); *Representative of India:* H.H. the Maharaja Jam Saheb of Nawanagar; *Substitute:* Commander C. B. Fry.

Subjects dealt with by the Committee:—

Item 12.—The work of the Economic and Financial Committees.

Item 13.—The work of the Advisory and Technical Committee on Communications and Transit.

Item 14.—The work of the Health Organisation of the League, including the work of the Epidemic Commission.

* Subject added to the agenda during the Session.

COMMITTEE No. III.

Armaments.

Chairman: M. Skirmunt (Poland); *Vice-Chairman*: M. Vasconcellos (Portugal);
Representative of India: Lord Hardinge of Penshurst.

Subjects dealt with by the Committee:—

Item 7.—Limitation and reduction of Armaments. Report of the Temporary Mixed Commission.

COMMITTEE No. IV.

Budget and Financial Questions.

Chairman: M. Momtchilo Nintchitch (Kingdom of the Serbs, Croats and Slovenes);
Vice-Chairman: M. Adatci (Japan); *Representative of India*: His Highness the Maharaja Jam Saheb of Nawanagar. *Substitute*: Commander C. B. Fry.

Subjects dealt with by the Committee:—

Item 10.—Statements by the Council and the Governing Body of the International Labour Office on new work involving new expenditure on the part of the League.

Item 11.—Deferred pay and pensions scheme.

Item 19.—The allocation of the expenditure of the League.

Item 24.—Budget for 1924, including the Budgets of the International Labour Organisation and of the Permanent Court of International Justice.

Audit of Accounts for the fourth fiscal period (1922).

Reports of the Supervisory Commission, including the reports on the cost of living in Geneva.

Report on the general financial situation of the League.

Item 29.—Report on the erection of a hall on the property given to the League by the Canton and City of Geneva.

COMMITTEE No. V.

Social and General Questions.

Chairman: M. de Mello-Franco (Brazil); *Vice-Chairman*: Professor Gilbert Murray (South Africa); *Representative of India*: Lord Hardinge of Penshurst. *Substitute*: Mr. J. Campbell.

Subjects dealt with by the Committee:—

Item 15.—Traffic in Opium and other Dangerous Drugs. The work of the Advisory Committee.

Item 16.—Traffic in Women and Children. The work of the Advisory Committee.

Item 30.—Reports relating to the work of the Commission of the League for the protection of women and children in the Near East.

Item 18.—Intellectual Co-operation. The work of the Committee.

Item 28.—Validity in all States, on a basis of reciprocity, of certain secondary education diplomas: establishment of an international university; institution of a higher education degree in all countries Members of the League of Nations, such diplomas being valid for all the countries in question.

Item 17.—Refugee questions. Reports by the High Commissioner.

*Relief work on behalf of Peoples overcome by disasters.

*Boy Scouts and Girl Guides: Passport and Customs facilities.

COMMITTEE No. VI.

Political Questions.

Chairman: M. Hymans (Belgium); *Vice-Chairman*: M. Titulesco (Roumania);
Representative of India: Mr. Syed Hasan Imam.

Subjects dealt with by the Committee:—

Item 25.—Request of the Irish Free State for admission to the League. Request of the Empire of Ethiopia (Abyssinia) for admission to the League.

Item 8.—Slavery. Report by the Council on the information received.

*Reports of the Permanent Mandates Commission.

Item 23.—Request to the Assembly from the Lithuanian Government concerning:—

(a) The Council's Resolution of 13th January 1922.

(b) Reference of certain questions to the Permanent Court of International Justice for an advisory opinion.

*Eastern Carelia. (Subject proposed by the Government of Finland.)

Item 22.—Protection of minorities in Estonia.

*A Question of Procedure in regard to the protection of minorities.

* Subject added to the agenda during the Session.

Debate on the Report of the work of the Council and on certain Questions arising out of the Dispute between Italy and Greece.

4. The usual debate on the report of the work of the Council during the preceding year was not commenced till the 12th September, and Viscount Ishii then intimated on behalf of the Council the desirability of postponing any discussion regarding the dispute between Italy and Greece, which was still under the Council's examination. Accordingly, no allusion was made to the dispute until the 21st September, when Viscount Ishii announced that it had been settled, though certain questions affecting the competence of the League still remained to be considered. In the debate which ensued His Highness the Maharaja the Jam Sahib of Nawanagar made on the 22nd September a speech (*see* Appendix IV.), in which, while expressing sympathy with the indignation of Italy in regard to the murder of General Tellini, he emphasised the Assembly's belief in the complete competence of the League to insist on the peaceful settlement of disputes arising between its Members.

See p. 104.

5. This question came again before the Assembly after the debate on the general report of the Council had been concluded. On the 28th September Viscount Ishii informed the Assembly of the decision taken by the Council, affirming in general terms the competence of the League and resolving that certain questions should be referred to a special Commission of Jurists. We refer to this subject again at the end of our Report. Viscount Ishii's statement, which is printed in Appendix II., gave rise to a debate in which eloquent speeches were made by Lord R. Cecil (defending the Council's decision), M. Branting (who would have preferred a reference to the Permanent Court of International Justice), and Dr. Nansen (who was inclined to criticise the decision). His Highness the Maharaja Jam Sahib of Nawanagar made a short statement on this occasion expressing approval of the decision of the Council (*see* Appendix IV.). His remarks were received with general approbation.

See p. 46.

See p. 105.

6. The remainder of the debate on the general report of the Council was for the most part as discursive as in previous years. The President at the commencement reminded the Assembly of the recommendation adopted last year by the General Committee (*see* para. 5 of the Report of the Delegates of India), and asked that delegates would inform him beforehand whether they wished to take part in a general debate or in discussion of particular subjects. But this suggestion had little apparent effect, though some delegates did confine themselves to single topics. The chief speeches were made by M. Skirmunt (Poland), M. Motta (Switzerland), and Dr. Nansen (Norway). M. Edwards (Chile) spoke on the Pan-American Congress at Santiago, and drew attention to the small amounts spent on armaments by the South American States as compared with certain European countries. Professor Gilbert Murray, speaking as a representative not only of South Africa but also of 300,000 members of the League of Nations Union in England and of the League of Nations Societies throughout Europe, appealed to the League to beg the interested Powers either to bring the problem of reparations to a settlement, or, if they could not do so themselves, to lay it before the League of Nations. Dr. Nansen spoke on another occasion in the same sense. The discussion on the report of the work of the Council was closed on the 22nd September.

Election of a Judge of the Permanent Court of International Justice.

7. On the 10th September a vacancy in the Permanent Court of International Justice was filled by the election of M. Pessoa (Brazil). His election was not unexpected as the vacancy had been caused by the death of a Brazilian judge (M. Ruy Barbosa), and M. Pessoa had been nominated by a very large number of national groups.

Procedure for Adoption of the Budget.

(Subject dealt with by the General Committee.)

8. This question arose out of an incident at the Third Assembly in 1922 (*see* para. 58 of the Report of the Delegates of India), when the budget which was voted unanimously included an item that had been accepted by a majority only of Committee IV. The general question of procedure was referred to the General Committee of the Fourth Assembly which submitted a report (Appendix III.) recommending that the adoption of budgetary proposals should require a unanimous vote in the Assembly and suggesting certain guiding principles for the application of Rule 18 of the Assembly's Rules of Procedure.

See p. 52.

Subjects referred to Committee I. (Legal and Constitutional Questions).

AMENDMENT OF ARTICLE 10 OF THE COVENANT.

9. Article 10 of the Covenant reads as follows:—

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

A Canadian proposal to strike out Article 10 from the Covenant was made at the first Session of the Assembly in 1920. It is understood that the reason of Canada's objection to the Article was that she considered that it involved an unconditional undertaking which it might be constitutionally impossible to carry out. The proposal to delete the Article was postponed by the First and again by the Second Assembly, but at the Third Assembly (1922) the Canadian Delegation no longer proposed that the Article should be deleted, but that it should be amended so as to read:—

“The Members of the League undertake to respect and preserve as against external aggression the territorial integrity and existing political independence of all Members of the League. In case of any such aggression or in case of any threat or danger of such aggression the Council shall advise upon the means by which this obligation shall be fulfilled, *taking into account the political and geographical circumstances of each State.*

“*The opinion given by the Council in such cases shall be regarded as a matter of the highest importance and shall be taken into consideration by all the Members of the League, which shall use their utmost endeavours to conform to the conclusions of the Council, but no Member shall be under the obligation to engage in any act of war without the consent of its Parliament, Legislature or other Representative Body.*”

The consideration of these proposals for the amendment of Article 10 had been postponed until the Assembly of 1923.

10. In the course of the Session the question was considered at two meetings of the British Empire Delegation; and Lord Hardinge suggested that a reference to constitutional authorities would suffice in place of the words referring to the Parliament, Legislature or other Representative Body.

11. In Committee I. Sir Lomer Gouin (Canada) said that the Canadian amendment would not in any way weaken the force of the Covenant since it merely aimed at introducing into Article 10 a provision recognising the sovereignty of Parliaments. The value of an interpretative resolution was thereupon discussed and a sub-Committee was appointed to draft such a Resolution.

The sub-Committee proposed the following draft:—

“It is in conformity with the spirit of Article 10 of the Covenant that in the event of the Council considering it to be its duty to recommend the application of military measures in consequence of an aggression or danger or threat of aggression, the Council shall, among other considerations, be bound to take account of the geographical situation and of the special circumstances of each State.

“The opinion expressed by the Council shall be regarded as an invitation of the utmost weight which all the Members of the League shall take into consideration in the sincere desire of executing in all good faith their engagements.

“It is, however, the function of the constitutional organs of each Member to decide whether the circumstances do give rise to the obligation of preserving the independence and the integrity of the territory of Members, and in what degree the Member is bound to assure the execution of this obligation by employment of its military forces.”

The British Delegation submitted the following amendment, which Mr. Imam supported :—

The third paragraph of the interpretative resolution to read :—

“ It is for the constitutional authorities of each Member to decide, in reference to the obligation of preserving the independence and the integrity of the territory of Members, in what degree the Member is bound to assure the execution of this obligation by employment of its military forces.”

The British Delegate (Sir Willoughby Dickinson) pointed out that the reference to “ circumstances ” had been deleted from the original proposal, and the moral and legal significance of Article 10 was thereby strengthened ; it was necessary to avoid the possibility of a State being able to invade the territory of a neighbouring State and to establish itself there while carrying on a discussion as to the justification for its act ; but it was for each State to leave its constitutional bodies free to decide in what degree it was bound to assure the execution of its obligations.

The Committee adopted the following as a final text :—

“ The Assembly, desirous of defining the scope of the obligations contained in Article 10 of the Covenant so far as regards the points raised by the Delegation of Canada, adopts the following resolution :—

“ It is in conformity with the spirit of Article 10 that, in the event of the Council considering it to be its duty to recommend the application of military measures in consequence of an aggression or danger or threat of aggression, the Council shall be bound to take account more particularly of the geographical situation and of the special conditions of each State.

“ It is for the constitutional authorities of each Member to decide, in reference to the obligation of preserving the independence and the integrity of the territory of Members, in what degree the Member is bound to assure the execution of this obligation by employment of its military forces.

“ The recommendation made by the Council shall be regarded as being of the highest importance, and shall be taken into consideration by all the Members of the League with the desire to execute their engagements in good faith.”

12. In the Assembly Prince Arfa-ed-Dowleh (Persia) said that in view of the geographical situation of Persia among countries which are not Members of the League, she could not accept any interpretative resolution, tending (as she feared) to weaken the force of the Article. He suggested that the Assembly should refer the question of interpretation to the Permanent Court of International Justice. Despite appeals from the French, Greek and Swiss Delegates, Prince Arfa-ed-Dowleh maintained his ground, but suggested that the voting on the Resolution should be postponed to give him an opportunity of telegraphing to his Government for fresh instructions. The Canadian Delegate, however, opposed this suggestion, and the Assembly decided by 19 votes to 18 against adjournment. The Resolution was thereupon put to the vote, with the following result : Ayes 29, Noes 1 (Persia), abstentions 13. The proposal was therefore not adopted, and the Assembly decided to inform the Council of the result of the vote.

AMENDMENT OF ARTICLE 16 OF THE COVENANT.

13. The Second Assembly adopted, among others, an amendment to the text of para. 1 of Article 16 of the Covenant, which the British Government now proposed to modify still further. Para. 1, as amended by the Second Assembly in 1921, is worded as follows :—

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

Since 1921 the British Government had been in consultation with the French Government, which had been reluctant to ratify the amendment of 1921 because it desired to retain a reference to nationals (as in the original article) where the 1921

amendment refers to residents only. It was accordingly proposed to modify the latter part of para. 1 as follows :—

“ Which hereby undertake immediately to subject it to the severance of all trade or financial relations *and to prohibit all intercourse, even if not between their nationals and the nationals of the covenant-breaking State, at least between persons resident within their territories and persons resident within the territory of the covenant-breaking State, and to prevent all financial, commercial or personal intercourse, even if not between the nationals of the covenant-breaking State and the nationals of any other State, whether a Member of the League or not, at least between persons resident in the territory of that State and those residing in the territory of any other State whether a Member of the League or not.*”

The British Government also proposed to delete the words “ in such case ” at the beginning of para. 2 of Article 16, as they will be superfluous as soon as the paragraph becomes para. 5 in consequence of the entry into force of the amendments adopted by the Second Assembly.

14. Committee II. appointed a sub-Committee to consider the question, and adopted by a majority the sub-Committee's proposal to recommend that the discussion of the British Government's amendments should be deferred until the Fifth Assembly. The reasons for this course were that :—

(1) The number of States which have ratified the amendments to Article 16 adopted by the Second Assembly is not yet sufficient to allow these amendments to come into force, and it would be inconvenient to adopt new amendments on the same subject as amendments already adopted but not yet completely ratified.

(2) It would not be opportune to recommence in the present Assembly a discussion on the “ blockade ” as provided for in Article 16.

(3) The drafting of the British amendment did not appear to be quite clear. The words “ if not ” (*si non*) and “ at least ” (*au moins*) might give rise to ambiguity, which an endeavour should be made to avoid by redrafting.

The Report of the Committee will be found in Appendix III. The Assembly passed the following Resolution :—

The Assembly decides to defer discussion of the amendments to Article 16 of the Covenant proposed by the British Government until the Fifth Assembly (1924).

See p. 52.
Assembly
Resolution
No. 4 (22
Sept.).

POSITION RESULTING FROM THE DELAY IN RATIFICATION OF AMENDMENTS TO THE COVENANT ADOPTED BY THE SECOND ASSEMBLY IN 1921.

15. No amendment of the Covenant adopted in 1921 had come into force at the time of the Fourth Assembly. None had yet been ratified by every Member of the Council. The ratification of a majority of Members, including all the Members of the Council, is required by Article 26 of the Covenant (original text) before any amendment can become effective. The difficulties resulting from this requirement were pointed out by Sir J. Allen in the Assembly, and on his motion the Committee was asked to consider the best solution.

The question is complicated by the fact that one of the 1921 amendments is an amendment of Article 26 itself to prescribe a time limit of 22 months for ratification of amendments, after the lapse of which a proposed amendment would fall to the ground. The debate in the Committee incidentally showed that in some quarters the view was held that, when the amendment of Article 26 becomes effective, all the other 1921 amendments remaining unratified at that date will fall to the ground (more than 22 months having passed since they were adopted by the Assembly); but the more general opinion was that the period of 22 months, within which such amendments would have to be ratified, would run from the date of the amended Article 26 coming into force.

16. The only suggestion made by the Committee in regard to the general question was that delegations should be requested to intervene with their Governments with a view to expediting the necessary ratifications of the amendments of Articles 4, 6, 12, 13, 15 and 26. All these amendments have been ratified by India.

The Assembly adopted the Committee's proposal in the following Resolution :—

“ Whereas, under the terms of Article 26 of the Covenant, the entry into force of amendments to the Covenant is conditional upon their ratification by the Members of the League whose representatives compose the Council and by a majority of the Members of the League whose representatives compose the Assembly ;

Assembly
Resolution
No. 10
(26 Sept.).

"Whereas, for the entry into force of the amendments voted by the Second Assembly to Articles 4, 6, 12, 13, 15, and 26, there is now lacking only a very small number of the ratifications required by the Covenant :

"Whereas, according to information obtained, the requisite constitutional measures are in fair way of being completed in those States whose ratifications are still necessary ;

"Whereas, on the other hand, it would be desirable in the interest of the authority of the League of Nations that the amendments which have been voted should obtain a larger number of ratifications ;

"The Assembly requests the Secretary-General to enter into communication with the delegations of all Members of the League which have not yet deposited ratifications to the amendments referred to in the second paragraph above, and to request them to intervene with their Governments in order to induce the latter to expedite, if possible, the ratification of the said amendments and to express, if they think proper to do so, their intention with regard to ratification of the amendments to Article 16."

RULES FOR THE ELECTION OF THE NON-PERMANENT MEMBERS OF THE COUNCIL.

17. Committee I. was asked by the General Committee to take up this question again this year, and appointed a sub-Committee to examine it. A long debate took place in the Committee on the report of the sub-Committee.

The Assembly in 1921 had adopted the following amendment of Article 4 of the Covenant :—

"The Assembly shall fix by a two-thirds majority the rules dealing with the election of the non-permanent Members of the Council and particularly such regulations as relate to their term of office and the conditions of re-eligibility."

But this amendment still remains without effect for lack of the necessary number of ratifications, and the existing text of Article 4 provides for election by the Assembly "in its discretion" (*librement*). It was therefore impossible to make rules regarding such matters as period of tenure, conditions of re-eligibility, &c., and the Committee proposed that the Assembly should merely pass on to the Fifth Assembly the recommendation made by the Third Assembly in 1922 (*see* Part II. of the Resolution of 29th September 1922 quoted in para. 26 of the Report of the Delegates of India), and should make a pressing recommendation to Members to ratify the amendment of Article 4 so that it may come into force before the meeting of the Fifth Assembly.

18. The question of mere rules of procedure regarding the method of voting at an election of non-permanent Members is on a different footing. Certain rules of this character were adopted by the Third Assembly (*see* Part I. of the Resolution of 29th September 1922), and the Committee proposed that these should now be inserted in the Assembly's Rules of Procedure. It was also decided to repeat the recommendation of the Third Assembly, that account should be taken of the world's main geographical divisions, &c., in the choice of the non-permanent Members.

19. The following is the text of the Resolutions covering these points which was proposed by Committee I. and adopted by the Assembly :—

"I. The Assembly repeats the recommendation contained in Resolution No. II. of 29th September 1922, and refers it to the Fifth Assembly.

"II. The Assembly resolves to insert in its Rules of Procedure between Articles 22 and 23 a text giving effect to the rules of procedure for the election of non-permanent Members of the Council laid down by Resolution No. I. of 29th September 1922.

"III. The Assembly reiterates the following recommendation :—

"It is desirable that the Assembly, in electing the six non-permanent Members of the Council, should make choice with due consideration for the main geographical divisions of the world, the great ethnical groups, the different religious traditions, the various types of civilisation and the chief sources of wealth."

"IV. Guided by the spirit of the Covenant, the Assembly urgently recommends the Members of the League, and especially the Members of the Council, to ratify the amendment to Article 4 of the Covenant which was adopted by the Second Assembly, and expresses the confident hope that this amendment will come into force before the meeting of the Fifth Assembly."

Election of the non-permanent Members of the Council for the forthcoming Year.

20. The election of the non-permanent Members of the Council was held on the 29th September. Five of the existing Members were re-elected with the following majorities :—Uruguay (40), Brazil (34), Belgium (32), Sweden (31), and Spain (30).

The sixth place was obtained by Czecho-Slovakia (which thus replaces China) with 30 votes.

Subjects referred to Committee II. (Technical Organisations).

RECONSTRUCTION OF AUSTRIA.

21. The financial reconstruction of Austria was discussed separately from the remainder of the work of the Economic and Financial Committees. The discussion took place in Committee II. on the 7th September and in the Assembly on the 11th and 12th September. It had been justly observed by Viscount Ishii in opening the

Assembly that the reconstruction of Austria was undoubtedly the most notable single achievement of the League during the past year. The manner in which this success was achieved is fully described in the general report on the work of the Council (League of Nations document A. 10, 1923, pages 49-59). An *exposé* was given by M. Ador, to Committee II. and, as *rapporteur*, to the Assembly (Appendix III.); and Dr. Zimmermann, the League's Commissioner-General in Austria, also made a statement to the Committee. It was emphasised that the success of the work was specially creditable when compared with the costly failure of the previous attempts to assist Austria that had been made independently of the League. The success was due to the collaboration of the various guaranteeing Powers, under the auspices of the League, the co-operation of the Austrian Government and people in a programme of financial reform, the zeal and energy of the economic section of the League Secretariat, and the supervision over the execution of the reforms that was secured through the Commissioner-General, who controlled the disposal of the loans, and through the Committee of Control representing the guaranteeing Governments. M. Ador presented the following Resolutions, which were adopted by the Assembly on the 12th September:—

See p. 53.

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

Assembly
Resolution
No. 1 (12 Sept).

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

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

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

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

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

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

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

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

OTHER WORK OF THE PROVISIONAL ECONOMIC AND FINANCIAL COMMITTEES.

22. The remainder of the work of the Economic and Financial Committees was dealt with in a single set of resolutions, annexed to two reports (*see* Appendix III.) made by Committee II. on the work of the Financial Committee and on that of the Economic Committee. M. Fernandez y Medina (Uruguay) and Jonkheer van Eysinga (Netherlands) were appointed *rapporteurs* for the former and the latter respectively.

See p. 53.

23. The discussion on the work of the Financial Committee included the problems of double taxation and of fiscal evasion and the difficulties of the financial situations in Greece (owing to the influx of refugees), in Albania (where M. J. D. Hunger, of the Netherlands, had been appointed Financial Adviser) and in the Free City of Danzig.

The general discussion in Committee (on the 18th and 19th September) gave rise to an episode of some interest. Sir Henry Strakosch (South Africa) had intended to propose a resolution on the subject of the great economic and financial problems not yet settled which dominate the life of Europe and of the world. He stated, however, that he did not wish to insist on this, as certain of his colleagues had represented that such a resolution was not advisable, and that it might prejudice negotiations undertaken between the parties chiefly interested. M. Hanotaux (France) welcomed the conciliatory attitude of Sir Henry Strakosch in relinquishing his proposal, but the latter was taken up by M. Munch (Denmark), who suggested that a

sub-Committee should be appointed on the subject. His Highness the Maharaja Jam Sahib of Nawanagar, as Chairman, thereupon intervened on a point of order, since the question raised political issues which were outside the purview of Committee II.

24. The discussion on the work of the Economic Committee took place on the 13th and 17th September in Committee II.

One of the questions dealt with was that of the international recognition of clauses in commercial contracts agreeing to submit to arbitration differences arising in connection with the contract. A draft protocol regarding such arbitration clauses had been prepared, and was approved, with slight modifications, by Committee II.* His Highness the Jam Sahib explained that the Government of India, while approving the proposal to open a protocol, was still considering whether the protocol could be signed on behalf of India. Various other delegates gave similar explanations on behalf of their Governments.

25. Another question discussed was the treatment of foreign nationals and enterprises in countries where they are permitted to establish themselves. The adoption of certain guiding principles as to their treatment had been recommended by the Economic Committee and the Council. The suggested principles, are, briefly, that national treatment in regard to taxation and right of suit and most-favoured-nation treatment in regard to the acquisition of land and other property should be given to foreign persons belonging to reciprocating States, if such persons are permitted to establish themselves. It became quite clear in the Committee that the principles recommended are not intended to refer to the conditions under which actual permission to foreign persons and firms to establish themselves in a country should be accorded. In the debate in the Committee on the 17th September M. Adatci (Japan) submitted a statement quoted in the Committee's report (*see* Appendix III.) suggesting *inter alia* that the Economic Committee should consider whether aliens should not enjoy the same treatment as nationals in regard to general commercial and industrial facilities, *i.e.*, in regard to facilities for establishing themselves in a territory, as well as in regard to their taxation, &c., when once established. The statement also raised the question of the coasting trade. After a discussion, in which Sir H. Llewellyn Smith (British Empire) took part, the Committee decided that the latter question might be dealt with by the forthcoming Conference on Communications and Transit, if that Conference considers it necessary to do so, and that the remaining questions raised by M. Adatci should be referred to the Economic Committee.

See p. 56.

26. The Assembly, on the 24th September, adopted the following resolutions on the work of the Economic and Financial Committees. The third of the resolutions deals with the protocol on arbitration clauses and the eighth with the proposals of M. Adatci:—

Assembly
Resolution
No. 7 (24
Sept.).

1. The Assembly, being convinced of the great importance of the problems of double taxation and fiscal evasion, thanks the Financial Committee, the economists and Government experts who have examined these questions, and expresses its desire that these studies may, within a short time, lead to an agreement on certain general principles.

2. The Assembly expresses its appreciation of the work undertaken or continued by the Financial Committee with a view to promoting the reconstruction of certain European countries. It feels confident that the technical opinion and the advice of the Committee may, in the future as in the past, be placed at the disposal of Governments making a request to that effect, as has been done up to now in the case of Albania, Austria, the Free City of Danzig and the problem of the Greek refugees.

3. The Assembly, realising the desirability and urgency of assuring by an international agreement a more general recognition of the validity of the arbitration agreement, whether referring to present or future differences, which is designed to regulate, by means of arbitration, differences that may arise in connection with contracts, and especially with commercial contracts, concluded between persons subject to the jurisdiction of different States;

Recognising the great importance which commercial circles attach to the prompt settlement of this question;

Considering that the text of the attached Protocol* submitted by the Second Committee differs from that which was communicated to the Members of the League by Circular Letter No. 56 of 26th May 1923, only as regards a few details of drafting, which do not involve any modifications of substance;

Decides to open the attached Protocol* immediately for signature by the States, expressing the desire that the greatest possible number of States may adhere to it as soon as possible.

4. The Assembly, emphasising the importance, for the establishment of normal trade relations, of the object of the Conference on Customs Formalities which will open at Geneva on 15th October, and recognising that the achievement of this object would be a further step towards a more equitable treatment as regards the commerce of the States, expresses the hope that the attendance of the States will be the largest possible and that the Conference may result in common agreement between the participating States.

5. The Assembly notes with satisfaction that the Economic Committee has succeeded in drawing up, for the guidance of Members of the League, a series of principles regarding the treatment of foreign nationals and enterprises duly admitted to establish themselves or to exercise their commerce or industry

* For the text of the Protocol, *see* Report of the Committee (Appendix III.) (p. 57).

on the territory of another State. It endorses the action of the Council in recommending the States to put these principles into practice, both by the adaptation of their national legislation and by the conclusion of bilateral agreements.

6. The Assembly notes with satisfaction the steps taken towards the establishment, by means of international action, of better provisions against unfair competition. It notes the conclusions of the Economic Committee as regards the protection of consumers against worthless goods.

It further notes the desire expressed by various delegations for the protection, not only of producers against unfair competition, but also of consumers against dishonest trading. Whilst fully aware that the suppression of these practices depends on the initiative of each individual nation, it nevertheless hopes that the Economic Committee will discuss the possibility of international action with a view to the protection of consumers.

7. The Assembly notes the conclusions of the Economic Committee with regard to the unification of the regulations relating to bills of exchange. It also notes the further progress made towards the unification of methods of compiling economic statistics.

8. The Assembly refers to the Economic Committee for careful examination the proposals of M. Adatci,* with the exception of the proposal respecting the reservation in regard to coasting trade, with which the Second Conference on Communications and Transit should deal if it thinks necessary.

9. The Assembly notes the first measures taken by the Economic and Financial Organisation as regards the collaboration with the International Labour Office in the enquiry on the economic and financial aspects of the unemployment crisis. It also notes that the Economic Committee has decided to extend its study to the general problem of the present economic crisis, of which unemployment is but one consequence.

10. The Assembly follows with satisfaction the development of the publications of the Economic and Financial Organisation. It appreciates the utility of this documentation, which elucidates the present grave monetary, budgetary and economic problems.

11. The Assembly notes with satisfaction the resolution adopted by the Council on 10th September last, to prolong until further order the term of office of the Economic and Financial Commission. The Assembly, in view of the substantial results already achieved by this body, expresses its confidence that much useful work will be accomplished by it in the future.

COMMUNICATIONS AND TRANSIT.

27. Mr. Graham (Canada) was appointed *rappporteur* for this subject. His report is printed in Appendix III. When the subject came up in the Assembly on the 22nd September, His Highness the Maharaja Jam Sahab of Nawanagar took the opportunity of referring to the reductions in the budgets of the Technical Organisations which were advised by the Fourth Committee, and pointed out that the Assembly must realise that any decrease in the activity of these organisations would necessarily hinder the progress of international co-operation. We give this speech in Appendix IV.

The Assembly adopted the resolution given below reviewing the work of the Advisory and Technical Committee for Communications and Transit, and noticing *inter alia* the preparation of four draft conventions (on Maritime Ports, Railways, Transit of Electric Power and Development of Hydraulic Power) for submission to the forthcoming Conference of the Organisation in November.

The Assembly, having taken note of the reports submitted by the Advisory and Technical Committee for Communications and Transit (Document A. 42, 1923, and A. 70, 1923), concerning the work of the Communications and Transit Organisation between the Third and Fourth Assemblies:

Notes with satisfaction the work of the Organisation during this period and the results achieved both in respect of the preparation of the four draft Conventions to be submitted to the second General Conference, which meets on 15th November (in which the Assembly shares the hopes of the Council that all recognised States will participate), and in respect of the drawing up of numerous resolutions dealing with all classes of transport, which the Assembly desires to bring to the notice of the Council and of the Governments concerned:

Notes with satisfaction the complete success of the first application of the procedure for technical conciliation of differences between States with regard to questions affecting communications and trusts that this procedure, which is established by the resolutions of the First Assembly for the settlement of disputes concerning the execution of the Treaties of Peace and by the provisions of various subsequent conventions, will be as effective in the future for the carrying out of the work for which it was designed.

Among the work of a more essentially practical nature carried out by the Advisory and Technical Committee, the Assembly takes special note of the enquiry undertaken, in accordance with the decisions of the last Assembly, into the application of the resolutions of the Genoa Conference regarding the restoration and improvement of means of communication in Europe. The Assembly draws attention to the conclusions reached by the Committee as a result of this investigation, namely, that, with regard to Western Europe, the efforts for the restoration of transport which have been necessary as a result of the war can be considered as having, on the whole, led to the re-establishment of a normal situation; whereas, with regard to Central and Eastern Europe, the application of the measures laid down at the Genoa Conference and at the preceding International Conferences, as well as the efforts made by the Governments, have resulted, in general, in a marked improvement both in the material restoration of the means of transport and in the facilities given to international traffic. Nevertheless, it should be pointed out that the important progress still to be realised is subordinate to considerations which are far wider than those of transport, and particularly the problem of the stabilisation of exchanges and that of credits.

Whereas the present Advisory and Technical Committee for Communications and Transit will be subject to renewal at the forthcoming General Conference, the Assembly offers its heartiest thanks to it for the work that it has done and expresses its confidence that the next Committee will continue that work, making use of the same procedure and inspired by the same ideals.

* See page 58.

See p. 60.

See p. 105.

Assembly
Resolution
No. 5 (22
Sept.).

THE HEALTH ORGANISATION.

See p. 62.

28. Committee II. discussed the work of the Health Organisation on the 8th, 10th, 12th, and 14th September. M. Adatei was appointed *rapporteur*. His report, presented on the 15th September to the Assembly (see Appendix III.), referred specially to the work of the organisation in connection with the interchange of sanitary *personnel*, epidemiological intelligence, the problem of malaria in Albania, the standardisation of sera and the work of the Epidemic Commission, which, among other activities, had undertaken a great vaccination campaign among the refugees in Greece. The report also mentioned a Netherlands proposal, already approved by the Council, that there should be an inquiry by the Health Committee into the possibility of classifying ports according to the arrangements they possess for the medical inspection and treatment of ships.

See p. 64.

29. Discussion in Committee centred, however, round the scheme for the constitution of a Permanent Health Organisation of the League. A plan, based on a proposal of the British Ministry of Health, for the constitution of such an organisation, in combination with the Office International d'Hygiène Publique, was adopted with minor amendments by the Assembly of 1920 (see pages 14, 15 and 61-70 of the Report of the Delegates of India to the First Assembly), but was dropped, owing to difficulties resulting from the constitution of the Office International. In these circumstances a merely provisional Health Committee was set up. The Third Assembly decided that a scheme should be drawn up for the constitution of a permanent organisation, and a Mixed Committee representing the League and the Office International was appointed to prepare such a scheme. The proposals of the Mixed Committee are summarised in M. Adatei's report (Appendix III.); they provide for the establishment of a close connection between the Health Service of the League and the Office International d'Hygiène Publique, and a combination of their functions where they at present overlap. In Committee II. members were assured that the new organisation would entail no new charge in the budget of the League. M. Velghe, President of the Office International, and Dr. Madsen, President of the Provisional Health Committee, attended the Committee and gave some explanations. After receiving the report of a sub-Committee, which included M. Adatei (Japan), Sir H. Llewellyn Smith (British Empire), and Sir Neville House (Australia), the Committee approved the scheme, and on the 15th September the Assembly passed the following Resolutions on this and other matters:—

Assembly
Resolution
No. 3 (15
Sept.).

1. The Assembly endorses without reserve the conclusions contained in the report presented to it by the Second Committee (Document A. 74, 1923, III), signifying approval both of the work of the Health Organisation of the League of Nations during the past year and of its plans for the future.

The Assembly approves the decision of the Council to authorise the Health Committee to examine the Dutch proposal regarding free "pratique" to ships, as well as the proposal of the Second Committee to submit to the Health Committee the study of the means by which the results of the investigation on the standardisation of sera can be utilised by the Governments. In conformity with the desire expressed by the Third Assembly, the Health Committee will consult, if necessary, the other Technical Organisations of the League, and will submit to the Council the results of its deliberations.

2. The Assembly, realising that the establishment of a single international health organisation, much as it is to be desired, is not attainable in present circumstances, considers that, in the treatment of health questions, it is important to avoid the uncertainty and confusion to which the existence of two distinct organisations may give rise, and consequently that it is advisable to establish close relations between the health services of the League of Nations and the Office International d'Hygiène Publique by the constitution of the Health Organisation of the League on lines which correspond to those of the other technical services of the League.

Having considered the resolution adopted by the Third Assembly on 15th September 1922, which reads as follows:—"that it may be possible, before the meeting of the Fourth Assembly, to prepare, on the basis and according to the principles adopted by the First Assembly for the Technical Organisations of the League, the constitution of a permanent Health Organisation which will be submitted to the Fourth Assembly for approval. This Organisation will undertake the duties laid down in the resolutions of the First and Second Assemblies";

And having considered the report of the Special Mixed Commission of the Office International d'Hygiène Publique and the Health Committee of the League of Nations, and in view of the fact that the Council has approved the scheme drafted by the Commission, and has decided that it be submitted for examination to the Assembly;

Decides to approve the scheme submitted by the Special Mixed Commission for the Health Organisation of the League of Nations, and asks the Council to take all necessary steps to make this agreement effective; and

Calls the attention of the Council to the views expressed in the report of the Second Committee to the Fourth Assembly.

3. The Assembly is of the opinion that it would be desirable for all health reports presented to the Permanent Mandates Commission to be communicated to the Health Committee of the League of Nations for any recommendations it may desire to make to the Permanent Mandates Commission.

30. On the 29th September the Assembly received a further report from M. Adatci regarding the Epidemic Commission, and passed the following further Resolution:—

“The Assembly, having considered Dr. Norman White's Report (Document C. 590, 1923) and the Report of the Secretary-General forwarding to the Council the recommendations of the Health Committee submitted in accordance with the request of the Council formulated on 31st August 1923;

“Pays tribute to the work of the Epidemic Commission and associates itself with the people whom the Commission has helped and protected in expressing gratitude for the assistance rendered.

“Takes note that the work hitherto dependent upon voluntary contributions during a time of acute distress is likely to be arrested for lack of funds if the present decrease in the danger from epidemics should result in a diminution of contributions to an extent that made it impossible to provide urgent relief on the appearance of fresh epidemics.

“And recommends that the Council should, in case of need, study what resources could be placed at the disposal of the Health Organisation of the League of Nations to enable it to intervene immediately through the intermediary of its Epidemic Commissioners in the event of sudden epidemic outbreaks of exceptional importance which might involve political consequences.”

Assembly
Resolution
No. 26
(29 Sept.).

Subjects referred to Committee III. (Armaments).

31. The Temporary Mixed Commission had recently completed the preparation of draft Treaty of Mutual Assistance, based on earlier drafts prepared by Lord Robert Cecil and Colonel Réquin. The Commission's draft combined the two principles of (1) a general treaty, and (2) partial treaties, which had inspired the work of Lord Robert Cecil and Colonel Réquin respectively.

Most of the sittings of Committee III. were occupied with a detailed examination of the draft Treaty. Many delegates, however, made it clear that, as there had been insufficient time to obtain the views of their Governments, they could speak only in their personal capacities. The draft was defended by Lord Robert Cecil (British Empire) and M. Lebrun (France), and was subjected to criticism mainly from two quarters: (1) the representatives of the smaller European Powers were inclined to question the necessity of supplementing the provisions of the Covenant itself, and found that the draft was too much concerned with the preparation of military aid, and contained too little provision for the reduction of armaments; (2) the delegates of Italy and other Powers adhered to the point of view which had been expressed by their representatives in the Temporary Mixed Commission, that the principle of partial treaties is dangerous and savours too much of the pre-war system of alliances.

M. Benes was appointed *rapporteur* for the work of Committee III. The interesting report made by him to the Assembly on the 29th September is given in Appendix III. The first part of it deals with the draft Treaty and contains the text in the form in which it left the Committee and was passed by the Assembly. It will be observed that Article 5 (b) provides that no High Contracting Party shall, in principle, be required to co-operate in military, naval, or air operations outside the continent in which it is situated.

See p. 66.

32. The Council had appointed a Committee of Jurists to examine the draft Treaty concurrently with Committee III. The Committee of Jurists consisted of the following persons: Dr. Amezaga (Uruguay), Professor Barthélemy (France), M. Botella (Spain), Dr. van Hamel (Director of the Legal Section of the Secretariat), Mr. Kennedy (Ireland), M. de Mello-Franco (Brazil), M. Rolin (Belgium), M. Scialoja (Italy), M. Soughimoura (Japan), and M. Unden (Sweden). This Committee proposed alternative texts for certain articles and made various observations. Its report is annexed to the report of M. Benes. In regard to the ratification clause (Article 18) it raises, among others, the interesting constitutional question whether the Treaty would come into force in Asia when ratified by, say, Japan and by His Majesty on behalf of India.

See p. 76.

33. The following from among the many points that were discussed in Committee III. may be worth mentioning here:—

On the 14th September M. Lange (Norway) presented an amendment which was intended to bring the conditions laid down in Article 2 of the Treaty, under which assistance would be furnished, into line with the provisions of the Covenant. He proposed as additional conditions:—

- (1) Registration and publication of all international engagements.
- (2) Adhesion to the protocol accepting as compulsory in certain classes of cases the jurisdiction of the Permanent Court of International Justice under the second paragraph of Article 36 of its Statute (*see* page 111 of the Report of the Delegates of India to the First Assembly).
- (3) In the case of States non-Members of the League compliance with Article 15 of the Covenant.

M. Lebrun and Lord Robert Cecil opposed the amendment. It was pointed out that M. Lange's condition (2) would, if insisted on, be likely to endanger the universal acceptance of the Treaty. The amendment was rejected.

34. A discussion commenced on the 17th September regarding the complementary defensive agreements (partial treaties), contemplated by Articles 6, 7 and 8, which were criticised especially by the delegates of Italy, Spain and Japan. The point of view of the critics was expressed by Count Tosti di Valminuta (Italy). He said that the Committee had to determine how far the system of a treaty of general guarantee was compatible with that of partial treaties and could be completed by them. If it were urged that a general treaty would prove too slow in action, he recognised the force of this argument, but considered that it was more than outweighed by the evil effects that might result from partial treaties; these relied too much on material force and too little on moral forces of a preventive nature, though the danger of such treaties might be lessened by placing them under the control of the League; the Italian Delegation was prepared to agree to the inclusion of partial treaties in the general treaty, provided that (1) they were subject before acceptance to close examination by the Council in order to ensure their purely defensive character; (2) they were open to all States; (3) they were always under the direct control of and subject to revision by the Council; these principles had not been accepted by the Temporary Mixed Commission, and he regretted that the safeguards which had been inserted were not, in the opinion of the Italian Delegation, sufficiently comprehensive; the provisions whereby partial treaties might come into force automatically were unacceptable to Italy; the decision should rest with the Council.

Various amendments proposed in this sense failed to obtain acceptance in the Committee, though certain modifications were made in the draft as a result of the discussion.

35. On the 20th September the Committee accepted an additional Article (Article 9) proposed by M. Holsti (Finland) enabling demilitarised zones to be established.

36. Article 17 (conditional or partial adherence) gave rise to considerable discussion. M. Lebrun proposed an amendment to the effect that either military assistance or assistance of an economic or financial nature should be included in the obligations of partial adherence. Lord Robert Cecil was of opinion that it was most important to obtain the adherence of the largest possible number of States. He therefore thought it would be best to adopt the original text, which allowed any State to adhere, and left the Council the choice of determining the conditions of adhesion. M. Branting supported Lord Robert Cecil. He attached great importance to the original Article, the provisions of which would admit of Sweden considering the possibility of adhering to the Treaty.

The Article, even as adopted, was interpreted in different ways by two sections of the Committee, as explained in M. Benes' report.

37. In view of the necessarily inconclusive nature of the discussions the Assembly contented itself with passing the following Resolution as proposed by the Committee:—

Assembly
Resolution
No. 27
(29 Sept.).

I. The Assembly, having taken cognizance of the draft Treaty of Mutual Assistance drawn up by the Temporary Mixed Commission and amended by the Third Committee as a result of an exchange of views between its members, some of whom spoke in their personal capacity:

Considering that this discussion has revealed some divergences of view and, further, that a large number of Governments have not yet expressed their opinions on Resolution XIV.* of the Third Assembly:

Decides to request the Council to submit the draft Treaty of Mutual Assistance to the Governments for their consideration, asking them to communicate their views in regard to the aforesaid draft Treaty.

38. The second part of M. Benes' report reviewed the work of the past year in respect of various matters connected with the limitation of armaments.

A debate took place in the Committee regarding the question of continuing the mandate of the Temporary Mixed Commission. Colonel Réquin (France) proposed a resolution dissolving the Commission, but ultimately a compromise which prolongs the life of the Commission for at least another year was accepted by the Committee.

The resolutions adopted by the Assembly on the 29th September were as follows:—

Assembly
Resolution
No. 27
(29 Sept.).

II. "The Assembly notes with great satisfaction that in the course of the last three years the States Members of the League have, with very few exceptions, been able to reduce their expenditure on armaments;

"Desires that this fortunate development should become more marked and more general;

"Recalls the resolutions of the preceding Assemblies concerning the limitation of expenditure on armaments;

"And requests the Council to recommend to the Members of the League not to exceed, during the period necessary for the elaboration and the adoption of the general scheme for the reduction of

* See page 24 of the Report of the Delegates of India to the Third Assembly.

armaments, the total expenditure on military, naval, and air armaments provided for in the budget of the present fiscal year;

"Subject to the reservation, however, that allowance shall be made—

"(a) for all contributions of effectives, material, or money recommended by the Council for the execution of the obligations provided for in Article 16 of the Covenant;

"(b) for all exceptional situations brought to the notice of the Council and recognised by it as such."

III. "The Assembly expresses the approval of the decision which the Council has taken in connection with the publication of a Year-Book of Statistical Information concerning National Armaments, and recommends that, in preparing this volume, the Secretariat should take into account the recommendations put forward in the Report of the Temporary Mixed Commission."

IV. (a) "The Assembly recommends that the Temporary Mixed Commission should be invited to prepare a new Convention or Conventions to replace that of St. Germain for the control of the traffic in arms.

"The Temporary Mixed Commission should be requested to draw up the draft Convention or Conventions in such a form that they might be accepted by the Governments of all countries which produce arms or munitions of war.

"The Temporary Mixed Commission should, however, also make alternative proposals for a Convention or Conventions which might be adopted by some of the producing Powers even if others refused their co-operation.

"The Assembly recommends that the Council should invite the United States Government to appoint representatives to co-operate with the Temporary Mixed Commission in preparing the draft Convention or Conventions."

IV. (b) "The Assembly recommends that the Council should invite the Temporary Mixed Commission to refer its scheme for the control of private manufacture of arms and munitions to the Economic Committee of the League for its observations; and that it should also endeavour, in co-operation with the Economic Committee, to draw up draft Conventions for this purpose.

"The Assembly recommends that when the Council has received the report of the Temporary Mixed Commission concerning the arms traffic and private manufacture of arms, it should consider the question of summoning an International Conference to draw up conventions on this subject."

V. "The Assembly awaits with interest the report of the Special Committee on the probable effects of chemical discoveries in future wars, and it again requests the Council and the Temporary Mixed Commission to ensure by all possible means the fullest publicity to the report of the Committee."

VI. "The Assembly, in view of Resolution XV. of the Third Assembly concerning the problem of the reduction of armaments,

"Asks the Council to request the Temporary Mixed Commission to consider the possibility of recommending concurrently with the general scheme for the reduction of armaments, the negotiation of draft partial agreements for the same purpose, to be submitted for examination and decision to the Governments of the States Members of the League which are in a special geographical position, and brought to the notice of States not members of the League.

"These draft agreements might, should opportunity arise, provide for reductions of armaments still greater than those provided for by the general scheme."

VII. "The Assembly requests the Council to invite the Temporary Mixed Commission to continue for a further period of one year the work which it has undertaken and to submit its report as early as possible before the meeting of the next Assembly.

"The Assembly is of opinion that it is henceforth the duty of the Council to establish direct co-operation with the Governments with a view to formulating the general plan for the reduction or limitation of armaments which, under Article 8 of the Covenant, must be submitted for the consideration and decision of the several Governments.

"The Assembly requests the Council to regulate and co-ordinate the work of the Temporary Mixed Commission and of the Permanent Advisory Commission, in anticipation of the possible expiration of the Temporary Mixed Commission's mandate at the next Assembly.

"The Assembly, having considered the resolution noted by the Second Assembly in regard to the Disarmament Section of the Secretariat, and taking into account the importance of this organisation, is of the opinion that the Secretariat should be requested to re-establish, when circumstances permit, the special directorship of this Section which the Second Assembly recognised as necessary."

Subjects referred to Committee IV.

INTERNAL FINANCE.

Item 10.—Statements by the Council and the Governing Body of the International Labour Office on new work involving new expenditure on the part of the League.

Item 11.—Deferred pay and pensions scheme.

Item 19.—The allocation of the expenditure of the League.

Item 24.—Budget for 1924, including the budgets of the International Labour Organisation and of the Permanent Court of International Justice.

Audit of Accounts for the fourth fiscal period (1922).

Reports of the Supervisory Commission, including the reports on the cost of living in Geneva.

Report on the general financial situation of the League.

Item 29. — Report on the erection of a hall on the property given to the League by the Canton and City of Geneva.

39. M. Botella (Spain) was appointed by Committee IV. to present a general report on the subjects included under the above items, with the exception of certain

See p. 88 et seq.
for reports on
(a), (c) and (d).

questions on which sub-Committees were appointed, viz. (a) contributions in arrear, (b) erection of a conference hall, (c) allocation of the expenses for 1924, (d) pensions and cost of living. Reports on these four subjects* were presented by M. Zahle (Denmark), Jonkheer van Eysinga (Netherlands), Sir Rennell Rodd (British Empire), and M. Barboza Carneiro (Brazil) respectively.

BUDGET AND GENERAL QUESTIONS.

See p. 82.

40. The outcome of the main discussions in Committee is summarised in the general report of M. Botella (Appendix III.). The following points may be noted :—

Audit of Accounts.—M. Ceresa, Inspector-General of the Italian Ministry of Finance, had been appointed by the Council in January 1923 to be auditor of the League of Nations accounts. M. Ceresa's report was generally considered satisfactory by Committee IV. The period covered (calendar year 1922) was a period of transition from the commercial system of book-keeping originally adopted by the League to a new system based on Governmental methods and adopted on the recommendation of the Supervisory Commission.

41. *Budget for 1924.*—The budget as it was originally submitted by the Supervisory Commission amounted to 24,870,570 gold francs. On the motion of M. Réveillaud (France), Committee IV. passed the following Resolution :—

“The Fourth Committee, considering that, in view of the exceptional financial difficulties with which most of the States are faced, a policy of strict economy and reduction is necessary in all departments of the Secretariat, and particularly in the special organisations of the League ;

“Having full confidence that the Secretary-General will assist it in carrying out this policy ;

“Entrusts to the Supervisory Commission, at present in session, the duty of considering the question and of submitting as soon as possible a programme of considerable reductions drawn up in agreement with the Secretary-General.”

As a result of this re-examination a further net reduction of 1,541,884 gold francs was effected by the Committee. The total reduction was 1,771,804 gold francs, but against this had to be set an increase on account of supplementary estimates of 229,920 gold francs (for the Opium and Drugs Conferences, the Commission for the Protection of Women and Children in the Near East, the Greek Section of the High Commissariat for Refugees and the Committee on Intellectual Co-operation). The budget as reduced stands at 23,328,686 gold francs, or, after deduction of a surplus of 95,051 gold francs from previous financial periods, at 23,233,635 gold francs. The details of the reductions are shown in the annex to M. Botella's report.

42. *Transfers in the Budget of the International Labour Organisation.*—The Committee adopted a proposal made by M. Réveillaud (France) that the budget of the International Labour Organisation should, for the purpose of the application of Article 29 of the Financial Regulations (regarding transfers), consist of four chapters, viz. (1) sessions of the Conference and of the Governing Body, (2) services of the Secretariat, (3) loss on exchange, (4) capital expenditure.

Report on New Work involving New Expenditure.—The Committee took note of the reports rendered by the Council and the Governing Body of the International Labour Office regarding new work involving new expenditure undertaken between the Third and Fourth Assemblies. These reports were submitted in accordance with a resolution of the Third Assembly, and showed that three grants only were made from the appropriation for Unforeseen Expenditure during the period in question ; two sums of 50,000 gold francs each had been voted by the Council to Dr. Nansen in connection with the Epidemic Commission and his work for refugees from Asia Minor, and a sum of 5,000 gold francs was granted to the Union of International Associations towards the publication of their “Code des Vœux et des Résolutions des Congrès Internationaux.” The Committee asked the competent officials to make similar reports for the period intervening before the Fifth Assembly.

See p. 97.

Amendments of the Financial Regulations.—Various amendments proposed to the financial regulations are given in Annex II. to M. Botella's report. These provide *inter alia* that, as had been proposed by the British Government, the Supervisory Commission should meet each year during the Assembly to examine amendments to the budget and report upon the estimates in their final form. Another amendment

(to Article 31 of the Regulations) provides that sums paid to the working capital fund since 10th January 1920 should be carried to the credit of the Members contributing them, and an amendment to Article 33 provides a procedure in regard to advances from the fund which subsequently turn out to be irrecoverable. The budget for 1924 includes a definitive contribution to the working capital fund of 442,500 gold francs and a temporary contribution amounting to 1,635,274 gold francs to make good irrecoverable expenditure from the fund on account of the International Labour Organisation.

43. In the course of the debates in the Committee Sir Rennell Rodd (British Empire) on 15th September referred to an article in a French newspaper, which alleged that the efforts of the British Treasury towards reducing expenses at Geneva had been directed mainly against the International Labour Office, and that this was due to the fact that the Director of the Office is of French nationality. Sir Rennell Rodd, in rebutting this charge, stated that his instructions were to aim at combining efficiency with economy in the League Secretariat, no less than in the Labour Office, and that questions of personality or nationality were wholly foreign to the case. With reference to the recent enquiry into the staffing of the Labour Office, he pointed out that the budget of the Secretariat also had already been investigated by a British Treasury official.

44. The Assembly on the 28th September passed the following Resolutions proposed by Committee IV. :—

" 1. The Assembly, in accordance with Article 38 of the Regulations for the Financial Administration of the League of Nations, passes the audited accounts of the League for the fourth financial period ending 31st December 1922. Assembly Resolution No. 23 (28 Sept.).

" 2. The Assembly, in accordance with Article 17 of the Regulations for the Financial Administration of the League of Nations,

• " Approves, for the financial period 1924, the general Budget of the League, of the Secretariat and the special Organisations of the League, of the International Labour Organisation and of the Permanent Court of International Justice, amounting in all, including the supplementary credits, to 23,233,635.70 francs.

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

" 3. The Assembly adopts, in so far as they have been approved by the Fourth Committee, the findings of the various Reports of the Supervisory Commission which have been submitted for its consideration.

" 4. The Assembly adopts the amendments to the Regulations for the Financial Administration of the League of Nations which are given as an Annex to the Fourth Committee's Report. See p. 87.

" 5. The Assembly adopts the findings of the Fourth Committee's Report." See p. 82.

45. A table is given in Appendix II. which shows, under the main heads, See p. 51.
Expenditure for 1922, Budget for 1923, Budget for 1924 as originally submitted to Committee IV., and the Budget for 1924 including alterations made by Committee IV. after further scrutiny by the Supervisory Commission, and as finally passed by the Assembly.

CONTRIBUTIONS IN ARREAR.

46. The Committee considered the report of the sub-Committee on this subject at a private session. In its report to the Assembly (Appendix III.) it classified States See p. 88.
whose contributions are in arrear in three groups: (1) those who put forward claims to be relieved from their obligations; (2) those in an exceptional position which necessitates a reduction in the outstanding contributions; (3) those whose contributions have merely been delayed by temporary difficulties. The Committee made definite recommendations in regard to group (2), viz., that the reduced scale (of 1923) should be applied to these States in regard to their unpaid arrears, and that payments on the reduced scale should be spread over a number of years. It recommended that certain sums mentioned in its report should accordingly be written off from the arrears owing by the countries therein referred to. The Assembly on the 26th September adopted the following Resolution proposed by the Committee:—

• " The Assembly approves the recommendations of the Fourth Committee (A. 90. 1923 X) on the question of unpaid contributions in respect of the periods ending 31st December 1922, and directs that the accounts of the League should be modified accordingly." Assembly Resolution No. 8 (26 Sept.).

ERECTION OF A CONFERENCE HALL.

47. A certain property had been presented by the Canton and City of Geneva for the erection of a Conference Hall for the League of Nations. The desirability of proceeding as soon as practicable with the construction of such a hall was generally recognised, in view of the acknowledged inconveniences of the Salle de la Réformation and the Kursaal, and the expense, including the maintenance of extra staff, &c., involved by the use of these buildings. But the existing financial position obviously made it impossible to proceed with the construction of a hall immediately, and Committee IV. reported accordingly to the Assembly, recommending that the question should be postponed until the Assembly of 1924. The Assembly on 26th September accepted this view in the following resolution :—

Assembly
Resolution
No. 9
(26 Sept.)

The Fourth Assembly, considering that the land so generously presented to the League of Nations by the Republic and Canton of Geneva and by the City of Geneva, ought to be prepared as soon as possible for the purpose for which it was given, that is, the erection of a Conference Hall,

Recognising, further, that the use of the Salle de la Réformation and the Kursaal is attended with very serious inconveniences,

Is of the opinion that the financial position of the League of Nations does not at present permit it to incur new expenditure on a large scale and necessitates the postponement of the question of the erection of a Conference Hall until the Assembly of 1924.

The Assembly requests the Council to continue the work of preparation in the manner indicated in the Report of the Fourth Committee (A. 89, 1923, X.).

ALLOCATION OF EXPENSES.

48. It will be remembered that at the Assembly of 1922 Lord Balfour agreed, and announced in Committee I, that the British Empire as a whole would accept the total of its contributions under the second Réveillaud scale in the form in which it was adopted by the Assembly that year, and that the six States comprising the British Empire would be prepared to settle among themselves the distribution of the expenses included in this total. The proposed scale was thereupon, without further opposition by the Indian Delegation, adopted by the Assembly for the year 1923.

49. The Réveillaud Committee at the time of this year's Assembly had not yet been able to frame the definitive scale with the preparation of which it had been entrusted, though it submitted an interesting report (Document A 23, 1923, II) indicating the lines on which it is now approaching the problem; the principle on which it is proceeding is to select certain heads of expenditure which are more or less comparable in the budgets of different States, and to base indices of capacity to pay on a comparison of these heads without reference to population or to revenue.

50. As no proposal for a final solution of the question was ready for submission to the Assembly the renewal of the existing Réveillaud scale for another year was evidently the natural course to adopt. Thus there appeared to be little immediate prospect of India obtaining relief from the Assembly in respect of her unduly high contribution of 65 units, which represents about 6.9 per cent. of the League's total expenditure. On the other hand the position was by no means clear with regard to the Empire arrangement arrived at by Lord Balfour at the Assembly of 1922. At that time it had been expected that after the lapse of one year a definitive scale would be ready for adoption, and the arrangement accordingly related to the contributions of 1923 only. At this year's Assembly no renewal of the arrangement for 1924 was at first proposed. Indeed the contemplated discussion of the question of re-distributing the total of the 1923 contributions had not yet taken place at the date of this year's Assembly.

It was technically possible for the Indian Delegation to prevent the renewal of the scale by voting against it in the Assembly, but this would have caused a position of grave difficulty as there was no alternative temporary scale likely in an equal degree to be generally satisfactory. Moreover, it would have been necessary to justify a change of attitude since 1922, when India, as a component part of the British Empire, accepted the temporary application of the Réveillaud scale, and this would have involved lengthy explanations.

51. In order to find a way out of these difficulties we had been instructed to seek an understanding with the Head of the British Delegation, that the question of distribution among the six Empire States of the total British Empire contribution to the League's expenses for 1923 and 1924 would be open to free discussion at the forthcoming Imperial Conference. We accordingly approached Lord Robert Cecil, and he

referred the question to the authorities at home. As a result it was fortunately found possible to reach the desired understanding before the question of the allocation of expenses came up for discussion in Committee IV. and the Assembly. In order, however, to avoid giving the impression that India's objection to the incidence of the scale had weakened, it was considered desirable to abstain from voting in the Committee and the Assembly, and to explain in the Assembly the reason of this abstention, viz., that India's objection to the scale is as strong as ever, and may be pressed next year, if a further renewal is then proposed, but that she was willing to refrain from opposition on this occasion in order to avoid a deadlock.

52. A sub-Committee, under the chairmanship of Sir Rennell Rodd, was appointed with the object of considering claims put forward by delegations for adjustments of the scale in favour of particular States. As the work of the sub-Committee was making considerable progress at a time when the arrangement made with Lord Robert Cecil, referred to above, had not yet been arrived at, it was thought desirable to submit to the sub-Committee a claim on behalf of India. The report of the sub-Committee is given in Appendix III. It recommended that the units assigned to Japan should temporarily be reduced from 73 to 61, as a mark of sympathy with that country in the calamity of nature that had befallen it. This reduction of 12 units was to be made up by an increase in the value of the unit. Twelve fresh units were brought into the League by the admission of two new Members—the Irish Free State, rated at 10 units, and Ethiopia (Abyssinia), rated at two. Seven of the 10 units of the Irish Free State were utilised in reducing the contribution of the British Empire from 95 to 88. The question of the utilisation of the remaining five available units, and the claims of the States who desire reductions, were referred to the Réveillaud Committee for consideration. The sub-Committee, however, intimated its own opinion that the claims of States, such as Roumania and Greece, which were based on pressing financial difficulties, deserved priority. Subject to the report of the Réveillaud Committee on these outstanding points, the 1923 scale was renewed, with the above-mentioned modifications, for 1924. It is annexed, in the form in which it is renewed, to the Report of the sub-Committee (Appendix III.).

The Report of the sub-Committee was adopted by the Committee and by the Assembly, which passed on the 28th September the following Resolution:—

“The Assembly, considering that it is not possible to draw up a definitive scale for the allocation of the expenses of the League of Nations for the year 1924,

“Considering that the scale adopted for the year 1923 has been recognised by general consent as establishing a more just and equitable system for the allocation of the said expenses than did that of the Universal Postal Union,

“Approves for the year 1924 the application of the scale annexed to the present Resolution (A. 90. 1923 X),* which is based upon that of 1923, and resolves that the new units made available by the accession of the Members admitted to the League in 1923 shall be divided among those Members for whom the existing allocation is particularly heavy; this allocation shall be made by the Allocation Committee.

“And requests the Council to ask the Committee on the Allocation of Expenses, presided over by M. Réveillaud, to continue its researches with a view to preparing a definitive scale which may be presented to a subsequent Assembly. The Assembly leaves it to the Council to modify the composition of the Committee as it may desire.

“The Assembly begs the Council to urge those Members which have not already ratified the first amendment to Article 6 of the Covenant voted by the Assembly of 1921 to do so as soon as possible.

“The Assembly, inspired by a lofty sentiment of the community of nations, desirous of manifesting its profound sympathy with Japan at a moment in which she has been overtaken by a catastrophe of unprecedented magnitude and anxious to lighten the contributory obligation of that country in such measure as the financial situation of the League allows:

“Resolves to reduce to 61 the number of units assigned to Japan in the provisional scale of allocation for 1924. The other Members of the League of Nations undertake to meet the additional charges resulting from this reduction in proportion to the number of units assigned to each.”

PENSIONS AND COST OF LIVING.

53. Most of the time of the sub-Committee appointed to examine this subject was taken up with the question of a scheme for the automatic increase or reduction of the salaries of League officials and employees in accordance with variation in the cost of living. The matter had been considered by a Salaries Adjustment Committee appointed after the Second Assembly (1921) and by the Supervisory Commission.

The sub-Committee and Committee IV. adopted the scheme which will be found set out in the Committee's report to the Assembly (Appendix III.). The last six months of the year 1921 are taken as the basic period in calculating variation in the cost of living, and salaries are to be divided into two parts—one fixed and the other (normally 20 per cent. of the total salary) variable; no variation in salary,

* See Appendix III., Annex X. (see p. 91).

however, is to take effect for changes of less than 10 per cent. in the cost of living index number. The Secretary-General of the League, though his salary is fixed by treaty, and all other high officials of the Secretariat, and also the Director of the International Labour Office, agreed to consider 10 per cent. of their salaries as similarly variable.

54. As regards the question of pensions, the sub-Committee and Committee IV. approved of the creation of a compulsory Provident Fund in the form that had been proposed by the Supervisory Commission after consultation with an expert committee of actuaries consisting of M. Toja and Sir Alfred Watson (*see* the reports of the Supervisory Commission, documents A. 1 (a) 1923, X, and A. 1 (b) 1923, X), and proposed that the Supervisory Commission should be authorised to draw up the final detailed regulations for such a scheme, the liability imposed on the budget of the League thereby not to exceed 5 per cent. of the total salaries of the officials affected. The Committee did not accept a resolution postponing these proposals; this had been put forward by the French Delegate, M. Réveillaud, in view of the fact that the sub-Committee had not had time to consider the matter very thoroughly.

55. The inclusive Resolution given below, proposed by Committee IV., was adopted by the Assembly on the 28th September. The Assembly also adopted a proposal made by Sir James Allen (New Zealand) in regard to the question of the cost of living that the percentage of reduction or increase on variable salaries shall be calculated on the original variable salary and not on the variable salaries on which reductions have already been made.

Assembly
Resolution
No. 24
(28 Sept.).

I. The Assembly approves as a whole the report presented by the Fourth Committee (A. 121, 1923) with regard to the cost of living in Geneva, salaries and the establishment of a pensions fund.

II. The Assembly decides to fix at 20 per cent. the variable portion of the salaries of all established officials (*au titre international*) of the Secretariat of the League and of the International Labour Office.

III. The Assembly decides that a reduction of 13 per cent. shall be made in respect of the year 1924 on the variable portion of the salaries of all the officials mentioned in Resolution II.

IV. The Assembly decides that the salaries of the Secretary-General, the Director of the International Labour Office, and of all the high officials engaged at a fixed salary who have agreed that part of their own salaries should be regarded as a variable portion shall, from now onwards, be composed of two portions, the one fixed and the other variable, the latter portion being 10 per cent. of their present salary.

V. The Assembly decides that the variable portion of the salaries of the officials referred to in Resolution IV. shall undergo a reduction of 13 per cent. in respect of the year 1924.

VI. The Assembly decides that the salaries of the locally engaged staff shall undergo a reduction in accordance with the proposals contained in para. 20 of the Report of the Fourth Committee.

VII. The Assembly decides to establish a compulsory pensions fund for the officials of the Secretariat and the International Labour Office. It instructs the Supervisory Commission to draw up the final detailed regulations of the scheme in accordance with the proposals contained in the Report of the Fourth Committee. It decides that the liabilities imposed on the budget of the League of Nations in consequence of the scheme shall not exceed 5 per cent. of the total salaries of the officials affected by the pensions scheme which has been approved by the Supervisory Commission, and which is mentioned in the Report of the Fourth Committee already mentioned.

Subjects referred to Committee V. (Social and General Questions).

OPIMUM.

56. The question was discussed in Committee No. V. on the 18th, 19th, 20th, 21st and 25th September. Mlle. Bonnevie (Norway), *rapporteur*, submitted the reports of the Opium Advisory Committee* and drafted a resolution merely adopting the reports and resolutions of that Committee. The delegates from the United States of America, Mr. Stephen Porter and Bishop Brent, with Surgeon-General Blue and Mr. Neville as advisers, who had been present at the session of the Advisory Committee held in May and June, attended the meetings of the Fifth Committee also in a consultative capacity. Lord Hardinge spoke first in the debate. No controversial points were raised; the Committee was informed that the Government of India accepted the reports and the resolutions of the Advisory Committee "with the reservations as submitted;" and the hope was expressed that the Advisory Committee's reports and resolutions would be approved by the Assembly. The constitutional position in regard to excise under the Government of India Act was also referred to and was emphasised in a later statement made to the Committee. These statements will be found in Appendix IV.

Mr. Porter also accepted the resolutions of the Advisory Committee; he desired to emphasise the importance of holding a conference of plenipotentiary representatives of the interested States as soon as possible, in time to report to the Fifth Assembly; and he explained the position of his Government with reference to the

* For convenience of reference the Advisory Committee's Resolutions are given in Appendix II. (*See* p. 49.)

reservation made by the Government of India; the practice in America as regards raw opium was stated; and Mr. Porter added that, while he "did not desire to discuss questions of purely domestic legislation in connection with the use of opium," his Government did not regard as legitimate "any international traffic in opium for other than medical and scientific purposes, except under the conditions explicitly laid down in the Hague Convention." As this statement is in conformity with the position which has always been taken by the Government of India, no reply was necessary.

57. The discussion proceeded on non-controversial lines, though the delegates of Persia, Switzerland, France and Japan found it necessary to reply at considerable length to the criticism on the policy of these countries contained in the report. No controversial question arose until Professor Gilbert Murray (South Africa), acting in accord with the American delegates, proposed an amendment to Mlle. Bonnevie's draft resolution, which, if accepted, would have had the effect of merging the two Conferences suggested by the Advisory Committee into one large Conference. This proposal was strongly opposed by Great Britain and the Netherlands; it was supported by France, Persia and China. Eventually a small sub-Committee consisting of the representatives of America, Great Britain, France and India, together with the Vice-President, Professor Murray (South Africa), and the *rapporteur* (Mlle. Bonnevie), was appointed to examine the question and also a further amendment proposed by Lord Hardinge to expand the wording of the Resolution so as to take formal notice of the reservations made by the Governments represented on the Advisory Committee.

58. In the sub-Committee an agreement was quickly reached. Lord Hardinge's amendment was accepted. The proposal of the Advisory Committee to call a separate Conference of the countries interested in the question of the smoking of opium was retained unaltered; the recommendation of the Advisory Committee as regards the other Conference was also adopted; but, on strong pressure from America, a clause was added suggesting, for the consideration of the Council, the advisability of enlarging this latter Conference so as to make it world-wide. The sub-Committee drafted resolutions covering these controversial questions.

59. The general impression appeared to be that this world-wide Conference, if held, would be of doubtful utility, and the Netherlands Delegation in particular, when the matter came before the full Committee, was strongly opposed to the suggestion; but, in view of the special importance which America attached to it, and possibly owing to fairly general expectation that the Conference would in reality be a limited one since many Governments would not desire to send representatives, no delegation carried its opposition so far as to vote against the proposal. The Netherlands Delegation, however, again criticised the suggestion at the subsequent meeting of the Assembly.

60. The following Resolutions, which included those proposed by the sub-Committee substantially as drafted, and call for no further comment, were eventually accepted by Committee V. and by the Assembly on the 27th September:—

Assembly
Resolution
No. 13
(27 Sept.).

1. The Assembly expresses its deep appreciation of the very valuable work done by the Advisory Committee on Traffic in Opium and other Dangerous Drugs, adopts its report and resolutions, taking note of the reservations contained therein, and asks the Council to take the necessary steps to put these resolutions into effect.

2. The Assembly, in view of Turkey having agreed, by the Treaty of Lausanne, to adopt and to enforce the International Opium Convention of 1912, and in view of its importance as an opium-producing country, expresses the wish that the Turkish Government—on its ratification of the Convention and signature of the final Protocol of 1914—be invited to nominate a representative to serve on the Advisory Committee.

3. The Assembly asks the Council to repeat its request to the Governments of Albania, Argentina, Colombia, Costa Rica, Lithuania, Paraguay, Persia and Switzerland, that they should take all possible measures with a view to the prompt ratification and application of the Opium Convention.

4. The Assembly, taking note with regret of the fact that a number of countries have not yet adopted the import certificate system as recommended by the Assembly in 1921 and 1922, reiterates the opinion expressed by the Assembly in 1922, that this system is the most practical method yet suggested for controlling the import and export of the drugs in accordance with the provisions of the International Opium Convention and that its success depends on its adoption by all countries engaged in importing or exporting the drugs. In view of the serious difficulties created by the non-adoption up to the present, of the system by several important countries, requests that the Advisory Committee may be instructed to proceed with the consideration of the suggestion contained in the second resolution adopted by the Assembly in 1922,* and to report specially to the next Assembly on the whole situation.

5. The Assembly approves the proposal of the Advisory Committee that the Governments concerned should be invited immediately to enter into negotiations with a view to the conclusion of an agreement as to the measures for giving effective application in the Far Eastern territories to Part II. of the Convention and as to a reduction of the amount of raw opium to be imported for the purpose of smoking in those territories where it is temporarily continued, and as to the measures which should be taken by the Government of the Republic of China to bring about the suppression of the illegal production and

* See page 31 of the Report of the Delegates of India at the Third Assembly.

use of opium in China, and requests the Council to invite those Governments to send representatives with plenipotentiary powers to a conference for the purpose and to report to the Council at the earliest possible date.

6. The Assembly, having noted with satisfaction that, in accordance with the hope expressed in the fourth resolution adopted by the Assembly in 1922, the Advisory Committee has reported that the information now available makes it possible for the Governments concerned to examine, with a view to the conclusion of an agreement, the question of the limitation of the amounts of morphine, heroin or cocaine and their respective salts to be manufactured; of the limitation of the amounts of raw opium and the coca leaf to be imported for that purpose and for other medicinal and scientific purposes; and of the limitation of the production of raw opium and the coca leaf for export to the amount required for such medicinal and scientific purposes, requests the Council, as a means of giving effect to the principles submitted by the representatives of the United States of America, and to the policy which the League, on the recommendation of the Advisory Committee, has adopted, to invite the Governments concerned to send representatives with plenipotentiary powers to a conference for this purpose, to be held, if possible, immediately after the conference mentioned in Resolution V.

The Assembly also suggests, for the consideration of the Council, the advisability of enlarging this conference so as to include within its scope all countries which are Members of the League, or Parties to the Convention of 1912, with a view to securing their adhesion to the principles that may be embodied in any agreement reached.

See p. 83.

See pp.
102-104.

61. Mlle. Bonnevie's report to the Assembly is given in Appendix III. Mr. Syed Hasan Imam was to have spoken for India in the Assembly, but was unfortunately indisposed. The speech which he had prepared was read by the Maharaja Jam Saheb of Nawanagar, and is given, together with His Highness's own statement, in Appendix IV. There was no criticism of India's policy or administration at any stage of the Committee's or Assembly's proceedings; but the argument first put forward by M. Bourgois before the Advisory Committee in June 1923, and alluded to by Mr. Hanotau at the 25th session of the Council held on the 7th July 1923, was further developed by M. Reynald (France), both in the Fifth Committee and the Assembly, though he carefully avoided pressing his real point too strongly, or asking for a decision on it. In the Committee he merely proposed that, in Resolution No. 5, the reference to opium for the purpose of smoking should be replaced by the term used in the Convention, namely, "prepared opium," a proposition which was technically correct; but he frankly admitted that his object was to leave the way entirely open to France if she should at any future time desire to contend that the term "prepared opium," as used in the Hague Convention, included opium used for eating as well as opium used for smoking. M. Reynald's amendment was defeated in the Committee by a narrow majority, the opposition coming chiefly from the British Delegate (Dame Edith Lyttelton) and from Mlle. Bonnevie, the *rapporteur*. There is reason to think that this line of attack on India's position will be elaborated, and strongly pressed, when the Conference contemplated by Resolution 6 meets. The American Delegation has made a formal reservation, quoted in Mlle. Bonnevie's report, to the effect that the use of the term "opium for smoking" in the Resolution must not be construed as an interpretation of the Convention; the French Delegation has associated itself with this reservation, and the speech made by M. Reynald before the Assembly suggests that France's policy is to raise this question on all occasions when it may be possible to do so, and to press for re-examination of the matter, not from the standpoint of the Hague Convention, but from the wider point of view that, if the smoking of opium is considered an evil sufficient to justify international action of a restrictive character, the eating of opium cannot be permitted to escape from similar control unless a clear case in favour of that course can be established, after an exhaustive and impartial enquiry conducted under international auspices.

TRAFFIC IN WOMEN AND CHILDREN.

62. Committee V. examined the report of the Advisory Committee on this subject and listened to a statement by Mr. S. W. Harris, of the Home Office, the Chairman of that Committee. The Advisory Committee had adopted certain resolutions which are reproduced in Appendix II. Two of those resolutions, Nos. 6 and 7, regarding the employment of foreign women in licensed houses and the system of official regulation, had not been endorsed as they stand by the Council; it had decided merely to communicate the former to Members of the League, and, as regards the latter, to ask Members which have recently abandoned a system of licensed houses, and those which still retain such a system, to give information as to the reasons and results of their policy.

After a debate in which Mlle. Forchhammer (Denmark), Dame Edith Lyttelton (British Empire), Mlle. Vacaresco (Roumania), and M. Reynald (France), took part, the Committee recommended that the Assembly should adopt as its own the resolutions and measures taken by the Council in regard to the report of the Advisory

Committee, and proposed among others a further Resolution suggesting that States which retain a system of regulation should be asked to take special precautions to ensure the protection and full liberty of women inmates of licensed houses. M. Sokal (Poland) was appointed *rapporteur*. His report is given in Appendix III. The Assembly on the 15th September passed the following inclusive Resolution proposed by the Committee:—

See p. 96.

1. The Assembly decides to adopt as its own the resolutions and measures taken by the Council in regard to the report of the Advisory Committee on the Traffic in Women and Children, and expresses its great appreciation of the work accomplished by the Advisory Committee and by the Council.

Assembly
Resolution
No. 2
(15 Sept.).

2. The attention of the Assembly having been called to the circumstances in which women are alleged to enter licensed houses, it recommends to the Council that the Advisory Committee on the Traffic in Women and Children be asked to consider whether it would not be desirable to draw the attention of all States, in which a system of State regulation is still in force, to this question and to invite these States to make an enquiry and to take special precautions to ensure the protection and secure the full liberty of women inmates of licensed houses.

3. The Assembly endorses the recommendation of the Advisory Committee as to the employment of women police among the police engaged in dealing with prostitution.

4. The Assembly notes the remarks of the Advisory Committee on the subject of the signature and ratification of the Convention of 1921; it expresses its regret that so few States have as yet ratified the Convention, and it recommends the Council to invite those States which have not adhered to or ratified the Convention to be good enough to inform the League as to the circumstances which have prevented their doing so.

5. The Assembly attaches great importance to the proposed expert enquiry already referred to and expresses the earnest hope that the Governments concerned will give the fullest facilities to the experts in any investigation which they may think it necessary to undertake on the spot.

6. The Assembly understands that the provisions of the International Convention on the subject of the traffic in women and children are not at present applied to certain mandated territories administered by the League. It recommends the Council to request the Permanent Mandates Commission to give further consideration to this question.

WOMEN AND CHILDREN IN THE NEAR EAST.

63. The Committee heard a statement on the work of the Commission for the Protection of Women and Children in the Near East, by Mlle. Karen Jeppe, a member of the Commission, and on 27th September Mlle. Forchhammer, as *rapporteur*, presented the following Resolution, which was adopted by the Assembly:—

“The Assembly approves the reports of Dr. Kennedy and Mlle. Karen Jeppe. It expresses its appreciation of the work accomplished and recommends that the League shall continue the work for the protection of women and children in the Near East.”

Assembly
Resolution
No. 29
(27 Sept.).

INTELLECTUAL CO-OPERATION (*Items 18 and 28*).

Item 18.

64. The chief work of the Committee on Intellectual Co-operation during the preceding year had been directed towards an improvement of the conditions of “intellectual life” in countries, such as Austria, which have suffered as a result of the war. It acts as a clearing house for the supply of the requirements of scientific institutions in such countries.

An appeal on behalf of Austria has resulted in considerable assistance in the shape of the free supply of publications by scientific institutions.

Many national Committees have been formed in affiliation with the League Committee.

It has also concerned itself with the following subjects:—

- (a) *Bibliography*.—A plan has been drafted for the co-ordination of libraries by the preparation of collective national catalogues and the encouragement of exchanges. A bibliographical index is under preparation.
- (b) *Archæology*.—The Committee seeks to assist in promoting international steps for the preservation of ancient monuments and desires to get into touch with the Mandates Commission (in regard to Iraq and Palestine).
- (c) *Intellectual Property*.—The Committee wishes to extend the protection enjoyed by artistic and literary work or patented inventions to scientific discoveries. It proposes the formation of an International Union for the protection of scientific property under a convention (on the lines of the Berne Copyright Union).
- (d) *Inter-University Relations*.—The Committee encourages the interchange of Professors, the organisation of international holiday courses and the equivalent recognition of degrees.

The Committee is also promoting a revision of the Brussels Convention of 1886 for the International Exchange of Official, Scientific and Literary Publications.

65. The work of the Committee was debated at great length by Committee V. One of its members—M. Reynold—was present at some of the meetings. Two other members—Professor Gilbert Murray and Mlle. Bonnevie—were sitting in Committee V. as delegates. A long discussion initiated by Mlle. Vacaresco, and continued by the delegates of Venezuela, China, Yugoslavia, Ireland, and others, was concerned with the claims of certain States that their characteristic cultures should be represented in the *personnel* of the Committee. It at first appeared that what was desired was the representation of nationalities as such. This would have been inconsistent with the principle on which the Council had constituted the Committee, which consists of not more than 12 persons chosen on the grounds of personal qualification. M. Bardoux, *rapporteur*, was, however, not adverse to a proposal to enlarge the Committee if, as he understood, the proposal was based on the ground that a wider representation of divergent types of culture, rather than different nationalities as such, was desirable in the interests of intellectual co-operation. The Committee proposed a resolution noting the legitimate demands of the delegates of Roumania, the Serbo-Croat-Slovene Kingdom and Czechoslovakia, of Spanish-speaking America, Asia, Ireland and the Finno-Ugrian nations, and requesting the Council to consider the possibility of enlarging the Committee and of introducing some system of rotation.

It was proposed in another resolution to authorise the Committee to convert its secretariat into an international university information office; this proposal involved a supplementary estimate of 14,920 gold francs, which was subsequently passed by Committee IV, after M. Bergson, Chairman of the Committee on Intellectual Co-operation, had given oral explanations.

66. The two Resolutions referred to above, with several others, were adopted by the Assembly on the 27th September as follows:—

Assembly
Resolution
No. 22
(27 Sept.).

I. The Assembly, considering it desirable to increase the authority of the Committee on Intellectual Co-operation by enlarging it so that it represents not only the various intellectual methods but also the various national cultures; having noted with satisfaction the intention expressed by the Council at its meeting of 23rd April 1923, of adding to the Committee on the occasion of the next vacancy a professor of the University of Vienna as representative of the Germanic culture; having noted also the legitimate demands expressed by the Delegates of Roumania, the Kingdom of the Serbs, Croats and Slovenes and Czechoslovakia, by the Spanish-speaking Delegate of America, by the Asiatic Delegates and by the Delegates of Ireland and of the Finno-Ugrian nations; requests the Council to consider the possibility of increasing the number of members on the Committee, introducing at the same time a system of rotation to be determined.

II. The Assembly, considering that it is important to encourage and facilitate the work of mutual intellectual assistance among the various nations, endorses the resolution adopted by the Council, and

- (a) Expresses the hope that the Committee on Intellectual Co-operation, availing itself of the help of the delegates of the National Committees, will, at its next session, take up with renewed energy the urgent problem of intellectual assistance;
- (b) Is of opinion that National Committees should also be established in those countries which have already organised intellectual co-operation on definite lines and in a different way;
- (c) Requests the Council to ask the Governments' Members of the League of Nations to be good enough to lend their moral and financial support to these National Committees—if they have not already done so—and to authorise the Committee on Intellectual Co-operation to receive from any institution or private person interested in the work, funds destined for this purpose; and
- (d) Invites the Committee to continue the investigation into the conditions of intellectual life which it has started and to communicate the results obtained.

III. The Assembly, taking note of the statements of the Committee and of its Chairman in regard to the impossibility of continuing their work unless an international university information office is formed, authorises the Committee to convert its secretariat into an international university information office.

The initial activities of this office might include:—

- (a) Communication of the recommendations of the Committee on Intellectual Co-operation for their information to the competent authorities and particularly to the national university information office.
- (b) Publication of any information which it may receive, especially from National University Information Bureaux, where such bureaux exist, in regard to the equivalence of studies and diplomas recognised by different countries, the curricula of universities, especially university courses relative to modern nations, teaching of modern languages, literatures and civilisations and international vacation courses.
- (c) Preparation of a meeting between the University Sub-Committee and the Delegates of the International Students' Associations, with a view to examining methods of extending the exchange of students, with the concurrence of their Universities.
- (d) Establishment of relations with all the organisations existing in various countries for the purposes of rendering exchanges of professors more frequent.

IV. The Assembly, sharing the Committee's conviction that the international organisation of bibliography serves to establish closer touch between scholars in different countries and to facilitate their individual studies :—

- (a) Invites the Committee to publish the "Index Bibliographicus" which it has planned, and to pursue its enquiries in regard to co-operation between the libraries or groups of libraries which have been formed in the different countries, and in regard to the utilisation of the work of the International Bibliographical Institute at Brussels;
- (b) Authorises the Committee forthwith to take the necessary steps to summon technical conferences for the purpose of co-ordinating the work of analytical bibliography abstracts in certain specified sciences; and
- (c) Requests the Council, in agreement with the Committee on Intellectual Co-operation, to convene a conference of experts to prepare the eventual revision of international conventions relative to the exchange of publications of every kind, books, periodicals, catalogues, papers and theses.

V. The Assembly, grieving at the calamity which has stricken the universities and libraries of the capital of Japan, invites the Committee on Intellectual Co-operation to study means to afford international assistance so far as to facilitate the reconstitution of the library and scientific collections which have been destroyed in Japan.

VI. The Assembly, approving the principle of Senator Ruffini's scheme in regard to the protection of scientific property, and in consideration of the resolution on this subject adopted by the Council, decides to forward this scheme to all the Governments, requesting them to communicate to the Secretariat of the League of Nations any observations they may wish to make, in order to enable the Committee on Intellectual Co-operation to draw up, if the necessity arises, a final draft convention to be placed on the agenda of the Fifth Assembly and submitted subsequently to all the States for signature and ratification.

VII. The Assembly, noting with satisfaction that the Committee has given its consideration to international problems relative to art and artists, authorises the Committee to establish relations with the municipality of Capri, which has offered to place the Charterhouse at Capri at the disposal of the artists of the various countries, in order to ascertain, after enquiry, whether the Council should be asked to accept this offer.

VIII. The Assembly urges the Governments of the States Members to arrange that the children and youth in their respective countries where such teaching is not given be made aware of the existence and aims of the League of Nations and the terms of its Covenant.

Item 28.

67. A further debate under the head of Intellectual Co-operation was conducted in Committee V. regarding certain Spanish proposals in favour of (1) reciprocal recognition of secondary education diplomas, which do not entitle holders to exercise professions; (2) the establishment of an international university either at Paris, Salamanca, Oxford, or Bologna; (3) the institution of University degrees entitling holders to international recognition of professional qualifications.

M. de Palacios (Spain), on the 27th September, reported this subject to the Assembly, which adopted the following Resolution :—

"The Assembly, having noted the Spanish Government's proposals concerning the equivalent recognition in all States of certain secondary educational diplomas, the creation of an International University, and the foundation of a higher educational establishment in each of the countries Members of the League of Nations, whose diplomas shall be valid in all countries Members of the League;

Assembly
Resolution
No. 22
(27 Sept.).

"And having duly appreciated the importance of these proposals: without prejudice to the main issue involved:

"Decides to request the Council to refer these proposals to the Committee on Intellectual Co-operation for consideration, in order that this Committee may draw up a report on the subject to be submitted to the Fifth Assembly."

REFUGEES.

68. The Committee heard a statement from Dr. Nansen regarding the work that was being done for the Greek refugees. Dame Edith Lyttelton (British Empire) was appointed *rapporteur* on the question of Greek refugees, and M. Radeff (Bulgaria) on the question of Russian refugees and deported Bulgarians. The reports (*see* Appendix III.) were presented to the Assembly on the 27th September, and the following Resolutions were adopted :—

See p. 97.

"The Assembly, having heard the report (Doc. A. 30, 1923) of the High Commissioner of the League of Nations for Refugees on the work which he has accomplished during the past year,

Assembly
Resolution
No. 30
(27 Sept.).

"Approves this report and wishes to express its entire satisfaction with the way in which the High Commissioner has discharged the duties entrusted to him and to record its very high appreciation of the services which he has rendered to the refugees and to the League.

"Whereas the work with which the High Commissioner was entrusted is not yet terminated, and as it is essential, both in the interests of the refugees and of the Governments concerned, that his organisation should continue its activities,

"It invites the High Commissioner to continue to apply the same methods of work as hitherto, especially in the matter of relief and assistance.

" Considering that the present situation of the Russian refugees, although sensibly improved, remains very precarious, and that the termination of the activities of the High Commissioner would materially destroy the progress already realised on behalf of the refugees,

" Invites the Council to request the Governments of the Members of the League to continue to afford to the High Commissioner the support and assistance which they have hitherto given him, especially as regards the development of the means of general and professional education and the securing of employment for the refugees."

" The Assembly, having noted with great interest the Report (Doc. A. 30, 1923) of the High Commissioner for Refugees on the work which he has so successfully carried out on behalf of the refugees of Asia Minor, particularly with a view to carrying into effect a scheme for their permanent settlement in Greece,

" Desires to express to him its gratitude for the eminent services which he has rendered to the League and to the refugees; and,

" Considers it desirable that he should continue to collaborate in the work undertaken on behalf of the refugees; and

" Invites the High Commissioner to co-ordinate the work of the other organisations dealing with the refugees,

69. The budget provision for the High Commissariat for Refugees was 153,000 francs. In Committee IV. a request was made by Dr. Nansen for an additional credit of 100,000 francs. A supplementary estimate of 50,000 gold francs only was passed for the section of the Commissariat dealing with Greek refugees. Another request for a supplementary credit of 147,000 gold francs for the Russian section of the Commissariat was refused. Dr. Nansen challenged the latter decision of Committee IV. in the Assembly in the debate on the budget of 28th September, but his amendment was defeated on a roll-call vote by 23 votes to 16, with three abstentions; the matter had already been carefully considered by the Supervisory Commission and Committee IV., which was of opinion that the time had come when much of the work might be taken over by national committees in the countries where the Russian refugees have found asylum. We had concurred in this view in Committee IV. and voted against the amendment in the Assembly.

TRAVELLING FACILITIES FOR BOY SCOUTS AND GIRL GUIDES.

70. M. Valdés Mendeville (Chile) introduced this subject, and was appointed *rapporteur* to the Assembly. The nature of the proposal is described in his report (Appendix III.). On the 28th September the Assembly adopted the following Resolution:—

" The Assembly, considering the importance of encouraging contact between the younger generations of different nationalities, invites the Governments of the States Members of the League of Nations to grant all possible facilities for travel by land or by water:—

" (a) To groups of students at higher or secondary educational institutions,

" (b) To groups of Boy Scouts and Girl Guides,

belonging to a registered national association of any State Member of the League, when such groups are travelling from the territory of one State Member of the League either through or to the territory of another State Member."

INTERNATIONAL ORGANISATION TO ASSIST IN THE RELIEF OF PEOPLES OVERCOME BY DISASTERS.

71. A scheme originating with M. Ciruolo, President of the Italian Red Cross, had been referred by the Council to the Secretariat for a report. The Council in a Resolution of 10th September 1923 subsequently submitted the scheme and the Secretary-General's report thereon to the Assembly. Committee V., after speeches by M. Ador (Switzerland), M. Cavazzoni (Italy), and others, proposed a Resolution referring the scheme and the Secretary-General's report to Governments for their observations. M. Reynald (France) was appointed *rapporteur* (for his report, see Appendix III.), and the Assembly on the 27th September adopted the Resolution which is as follows:—

" The Assembly, having noted with great interest the report prepared by the Secretary-General and the proposals of the Council with reference to the scheme of Senator Ciruolo, President of the Italian Red Cross, whose lofty principles of human solidarity and international reciprocity it approves,

" Authorises the Council to instruct the Secretary-General:

" 1. To communicate to the various Governments these two documents (Doc. A. 67, 1923) as well as any remarks thereon which may be made by the Red Cross Organisations, with the request that they communicate their observations on the subject to the Secretariat;

" 2. To keep the Council informed from time to time of the replies of the Governments with a view to the ultimate submission to the Assembly of any proposals which, on the basis of these replies, the Council may see fit to make."

See p. 98.

Assembly
Resolution
No. 18.
(28 Sept.).

See p. 99.

Assembly
Resolution
No. 21
(27 Sept.).

Subjects referred to Committee VI. (Political Questions).

ADMISSION OF NEW STATES (IRISH FREE STATE AND ETHIOPIA) TO THE LEAGUE.

72. A sub-Committee was appointed to deal with the applications of Ireland and Abyssinia.* The sub-Committee, applying the criteria laid down by the First Assembly* (see para. 115 of the Report of the Delegates of India), considered the following questions:—

- (1) Is the request of the applicant State for admission into the League of Nations in order?
- (2) Is the applicant State recognised *de jure* and *de facto*, and by what States?
- (3) Does the country possess a stable Government and well-defined frontiers?
- (4) Is it fully self-governing?
- (5) What have been the acts and declarations of the applicant State:—
 - (a) As regards its international engagements?
 - (b) As regards the stipulations of the League with reference to armaments?

73. A report in favour of the admission of the Irish Free State was submitted by M. Meierovics (Latvia) and was approved by Committee VI. and by the Assembly unanimously on 10th September. Mr. Cosgrave made a speech in the Assembly, commencing with a few sentences in Irish, but continued in English, in response to the welcome accorded to the Irish Delegates.

* 74. The question of the admission of Abyssinia (Empire of Ethiopia) was a more difficult one. The sub-Committee reported on 14th September that it was satisfied as to the first four of the established criteria, though in regard to the fourth it had been unable to determine exactly the extent of the effective control of the central authority over the remote provinces; as regards the fifth criterion, the Ethiopian Government was prepared to accept the conditions laid down in Article 1 of the Covenant (the giving of effective guarantees of its sincere intention to observe its international obligations, &c.) and to carry out all obligations incumbent on Members of the League. The sub-Committee recommended to the Committee that, in order to assist Ethiopia to overcome obstacles in the way of the fulfilment of such obligations, a declaration should be obtained that Ethiopia recognises the obligations of the first paragraph of Article 11 of the Convention of 10th September 1919 (amending the General Act of Berlin and of the General Act and Declaration of Brussels),* that she also recognises as binding "the system at present established with regard to the importation of arms and ammunition," and undertakes to conform to the principles of the Arms Traffic Convention of 10th September 1919, and that she is willing to give the Council information and to consider any recommendations made by the Council with regard to the fulfilment of these obligations.

The report of the sub-Committee gave rise to a considerable debate in the full Committee. The discussion showed two currents of opinion among the members of the Committee. Some considered that the admission of Ethiopia as soon as possible would be the best means of enabling that country to enter into closer relationship with other civilised countries, to follow their example and their methods, and to foster social development. The other trend of opinion was based on certain doubts not regarding the intentions of Ethiopia but with regard to the actual means which she possesses of enforcing, in the various parts of her territory, the engagements assumed by the central government; this question was of importance when it was considered that the engagements which Ethiopia was asked to assume necessitated a constant and complete control not only of her frontiers but also of certain provinces; the arms traffic must be closely watched, so as to prevent the recrudescence of any unfortunate incidents in neighbouring territories; further, the suppression of the slave traffic and improvement of conditions of life must be carried on in such a way as to ensure as general and continuous a progress as possible.

Ultimately it was decided that Ethiopia might be admitted if the declaration suggested by the sub-Committee was signed by the Ethiopian Delegation. This was done, and the Assembly unanimously admitted Ethiopia as a Member of the League on 28th September.

SLAVERY.

75. The Third Assembly had requested that a report on the question of Slavery should be presented to the Fourth Assembly. Information had been collected by the

* The Signatory Powers exercising sovereign rights or authority in African territories will continue to watch over the preservation of the native populations and to supervise the improvement of the conditions of their moral and material well-being. They will, in particular, endeavour to secure the complete suppression of slavery in all its forms and of the slave trade by land and sea.

Council during the past year from the Governments of Great Britain, France, Belgium, Portugal, India and other countries (Document A. 18, 1923, VI.). The report received from the French Government contained an annex regarding slavery in Abyssinia.

Committee I. appointed a sub-Committee, of which Mr. Syed Hasan Imam was a member, under the chairmanship of Dr. Nansen, to consider the question of Slavery, and also that of Mandates.

This sub-Committee and the sub-Committee on the admission of States held joint meetings in regard to the question of slavery in Ethiopia and received explanations from the Ethiopian Delegation as to the position in that country. The Delegation stated its willingness to telegraph for full powers to its Government in order to negotiate with the League in regard to the matter. The conclusion reached in regard to this particular question has been stated in the preceding section.

76. As regards the general question of Slavery, the sub-Committee submitted a draft Resolution which was adopted by the Committee and subsequently by the Assembly on the 27th September to the following effect:—

"The Assembly having taken cognisance of the information obtained up to the present from Members of the League and considering that it cannot form the basis of a sufficiently complete report,

"(a) Expresses to the Council its gratitude for the steps taken to carry out the request made by the Third Assembly relating to the question of Slavery;

"(b) Requests the Council to entrust to a competent body the duty of continuing the investigation with a view to obtaining further information on the subject, particularly from the Governments of States not Members of the League, and, if necessary, from individuals or organisations whose competence and reliability are recognised;

"(c) Hopes that the results of this investigation be communicated, if possible, to the Fifth Assembly, and expresses the desire that, in any case, the fifth Assembly may receive a report showing the progress made in different countries with regard to the suppression of Slavery in all its forms."

Dr. Nansen was appointed *rappporteur* to the Assembly, and in his report (Appendix III.) stated that different views had been expressed in the sub-Committee as to the body to which the further investigation contemplated should be referred; some delegates suggested the Permanent Mandates Commission, others the International Bureau at Brussels, others a special Advisory Committee; it was accordingly agreed that it should be left to the Council to decide what particular body should be entrusted with the enquiry.

REPORTS OF THE PERMANENT MANDATES COMMISSION.

77. On the subject of the Reports of the Mandates Commission for the preceding year (A. 46, 1923, VI., and A. 47, 1923, VI.) Dr. Nansen's sub-Committee submitted the following Resolution, which was approved by Committee VI. and by the Assembly on the 26th September:—

The Assembly having taken cognisance of the reports of the Permanent Mandates Commission and of the observations of the accredited representatives of Australia, Great Britain, Japan, New Zealand and the Union of South Africa:

(a) Expresses its satisfaction with the extensive work which this Commission has so conscientiously accomplished and with the notable progress made in the mandated territories since the last Assembly;

(b) Requests the Commission to pursue its task with the same zeal and the same impartiality;

(c) Expresses the confident hope that the Commission will continue to enjoy the co-operation of the mandatory Powers in the work of effecting a continuous improvement in the moral and material condition of the natives, and, in particular, of the women and children, by means of the organisation of general and professional education, the improvement of public health, the equitable remuneration of native labour, and the final abolition within as short a time as possible of slavery in all its forms, including its domestic forms;

(d) Expresses its regret that the Permanent Mandates Commission has not been able to report that satisfactory conditions have as yet been re-established in the Bondelzwarts district and the hope that the future reports of the Union of South Africa will contain such information as may allay all misgivings in this connection.

Paragraph (d) of the Resolution gave rise to certain observations in the Assembly debate by Mr. Bonamy (Haiti) and Sir E. Walton (South Africa). The former stated that the facts to which the attention of the Third Assembly had been drawn by M. Dantes Bellegarde concerning the insurrection of the Bondelzwarts had been recognised as entirely accurate by the Permanent Mandates Commission, which had emphasised that the repression of the rebellion had been too harshly effected; confidence might be placed in the goodwill of South Africa and of all the mandatory Powers, which would find a means of developing the civilisation of backward peoples susceptible of improvement. Sir Edgar Walton said that he had given an undertaking to the Third Assembly that the South African Government would thoroughly investigate the Bondelzwarts rebellion; an investigation had been carried out by officers thoroughly acquainted with native affairs and conditions.

Assembly
Resolution
No. 17
(28 Sept.).

See p. 99.

Assembly
Resolution
No. 12
(26 Sept.).

REQUEST TO THE ASSEMBLY FROM THE LITHUANIAN GOVERNMENT CONCERNING:—

(a) THE COUNCIL'S RESOLUTION OF 13TH JANUARY 1922;

(b) REFERENCE OF CERTAIN QUESTIONS TO THE PERMANENT COURT OF INTERNATIONAL JUSTICE FOR AN ADVISORY OPINION.

78. This request arose out of certain incidents in the history of the Vilna dispute between Lithuania and Poland. The Council on the 3rd February 1923 proposed a provisional line of demarcation which was accepted by Poland but not by Lithuania. On the 15th March 1923 a decision was given by the Conference of Ambassadors (the Polish Government having requested the Principal Allied Powers to take action under the third paragraph of Article 87 of the Treaty of Versailles); this decision fixed the frontier in conformity with the provisional line of demarcation proposed by the Council. The Council, on the 21st April 1923, recognised that the question had been determined in accordance with the procedure laid down in the Treaty.

The matters which the Lithuanian Government apparently wished to bring before the Assembly were (1) the question whether this outcome of the dispute was consistent with a resolution of the Council on the 13th January 1922, that it could not recognise any solution of a dispute, submitted to the League by one of its Members, which might be reached without regard to the recommendation of the Council, or without the consent of both parties; (2) a request to the Assembly to ask the Permanent Court of International Justice for an advisory opinion on certain points.

79. These matters involved the important constitutional question of the respective spheres of action of the Council and the Assembly, and Committee VI. did not consider itself competent to discuss them, since the Council had already taken a decision, but decided to ask Committee I. for an opinion on the question of the conditions under which the Assembly might be competent to deal with such requests.

In Committee I. there were differences of opinion. A reply prepared by Sir W. Dickinson (British Empire) and M. Politis (Greece) was finally sent to Committee VI. which did not altogether exclude the competence of the Assembly to order a reference to the International Court, though this view had been strongly opposed in Committee I. by M. Barthélemy (France). The reply is annexed to the report which the Sixth Committee made to the Assembly on 27th September (*see* Appendix III.). The report states that in view of the terms of the First Committee's letter the Sixth Committee would have proceeded to examine the question of a reference to the Court submitted by the Lithuanian Government, but that a request had subsequently been received from the Lithuanian representative that the further examination of the question should be postponed till the Fifth Assembly.

See p. 100.

On the 27th September the Assembly accordingly decided to refer the question to the Fifth Assembly (Assembly Resolution No. 9).

EASTERN CARELIA.

80. In 1921 the Council of the League of Nations had its attention called by Finland to the position created in Eastern Carelia (the country lying between Finland, Lake Ladoga, Lake Onega and the White Sea) by the non-application of the Treaty of Dorpat and declared itself ready to examine the question if there were agreement between the two interested parties, Finland and the Soviet Government. The latter, however, declared that the question of Eastern Carelia was not an international but an internal question. The Council, in April 1923, as the result of a further request from Finland, asked the Permanent Court of International Justice for an advisory opinion as to whether the provisions of the Treaty of Dorpat relating to Eastern Carelia constituted engagements of an international character. The Court ruled that disputes between Members of the League and States which were not Members of the League could not be submitted without the consent of the latter, and the Court could not, therefore, express an opinion. In Committee VI. the Finnish Delegate expressed the hope that international engagements made by a Power which was not a Member of the League should not be held to be outside the scope of an impartial examination by the organs of the League.

Committee VI. passed the following Resolution, which was adopted by the Assembly:—

The Assembly, recognising the importance of the question of Eastern Carelia,

Notes the declaration of the Finnish Delegation that the Finnish Government, in the absence of any decision or any contrary opinion pronounced by any international jurisdiction, maintains its right to consider the clauses of the Treaty of Dorpat and the supplementary declarations relating to the Statute of Eastern Carelia, as agreements of an international order;

And requests the Council to continue to collect all useful information relating to this question with a view to seeking any satisfactory solution rendered possible by subsequent events.

Assembly
Resolution
No. 6
(24 Sept.).

PROTECTION OF MINORITIES IN ESTHONIA.

81. Committee VI. decided to refrain from examining the question of the protection of minorities in Esthonia, since this appeared to have been settled by an arrangement concluded between the Council and the representative of Esthonia. On the proposal of the Council the Assembly decided to withdraw the question from the agenda.

A QUESTION OF PROCEDURE IN REGARD TO THE PROTECTION OF MINORITIES.

82. A Council resolution of the 5th September 1923 provided *inter alia* that petitions and the observations of the Governments concerned should be communicated to Members of the Council only. The matter was placed on the Assembly's agenda by a resolution moved by Professor Gilbert Murray on the 22nd September, and was considered by Committee VI., which proposed the Resolution given below and adopted by the Assembly on the 26th September :—

Assembly
Resolution
No. 11
(26 Sept.).

In accordance with the resolution of the Council dated 5th September 1923, the communication of minorities petitions shall be restricted to the Members of the Council. By virtue, however, of para. 5 of the Assembly resolution, dated 21st September 1922, the Government of any Member of the League can request the Secretariat to communicate to it any petition (together with the observations of the Government concerned) which have been communicated to the Council.

Other Questions referred to the Fifth Assembly.

83. The Assembly also passed the following resolutions referring the questions mentioned therein to the Fifth Assembly :—

Work of the Latin-American Bureau.

Assembly
Resolution
No. 28
(28 Sept.).

The Assembly, having taken note of the favourable results of the work done by the Latin-American Bureau during the past year and realising that the development of this Bureau offers an effective means of reinforcing an essential liaison between the Governments and the central organs of the League of Nations, resolves to entrust the Secretary-General with the study of a scheme for the reorganisation of the Latin-American Bureau and to request him to submit in due course this draft scheme to the Members of the League of Nations so that the Fifth Assembly may, if circumstances permit, take a decision on the subject.

The Principle of Closer Municipal Relations.

Assembly
Resolution
No. 14
(27 Sept.).

The Assembly decides to place on its Agenda and to refer to the Fifth Assembly of the League the following proposal submitted by the Cuban Delegation :—

“Whereas the maintenance of direct relations between the important Municipalities of the various countries is a new form of co-operation between peoples which will contribute largely to diffusing the ideals which led to the creation of the League of Nations and which guide its work,

“The Assembly decides to accept with the greatest sympathy the principle of closer municipal relations which the Santiago Conference recommended to the members of the Pan-American Union for adoption.”

International Arrangements for Legal Justice for the Poor.

Assembly
Resolution
No. 15
(27 Sept.).

The Assembly decides :—

“(a) To place on the Agenda of the Fifth Assembly the question referred to in the memorandum (A. 119, 1923) regarding international arrangements for legal justice for the poor ;

“(b) To invite the Secretary-General to prepare a report in the meantime, and to make such enquiries, under the authority of the Council, as may be found desirable, without expenditure of League funds.”

Protection of Young Women travelling alone.

Assembly
Resolution
No. 16
(27 Sept.).

The Assembly decides to place on its Agenda and refer to the Fifth Assembly the following proposal submitted by the Cuban Delegation :—

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

Concluding Remarks.

84. The work of the Fourth Assembly was overshadowed by the interest taken in the Italo-Greek dispute which exactly synchronised with the period of the session. When the dispute was originally referred by one of the parties to the Council, some dramatic intervention on the part of the League was expected by its more enthusiastic supporters, and there can be no doubt that corresponding depression was caused by the transference of the question to the Conference of Ambassadors, and was only partially mitigated by the successful termination of the dispute itself. In some quarters the impression unfortunately prevailed that, however much the machinery of the League might be utilised against smaller States, it would not be allowed to operate in a matter involving the interests of one of the great Powers themselves, and that the protection which membership of the League had been assumed to lend to the smaller States had lost much of its force.

On reflection, however, there appears to be little reason for disappointment. In appealing to the Council, Greece had cited Article 15 of the Covenant. The first duty which that Article imposes on the Council is to endeavour to effect a settlement of the dispute, and it seems clear that other methods of settlement may not be required except in the event of the failure of the ordinary resources of diplomacy. These, however, at the time when the appeal was made had not been adequately tested, for they include not only negotiation between the parties most directly concerned, but also those opportunities of intervention which fall to the principal Powers either expressly under the treaties of peace or as the historical result of the new European settlement. Thus, to transfer the dispute (with suggestions for its settlement) to the Conference of Ambassadors to deal with in the first instance could be regarded as an entirely proper step for the Council to take, and, once this course had been adopted, it was only in the case of failure by the Conference that any question could arise of calling into play what may be called the reserve powers of the League.

85. It is true that certain questions had been raised as to the competence of the League to deal with a dispute of this nature, but in the end the ultimate competence of the Council remained unquestioned, for on 28th September that body was able, with the concurrence of the Italian member, to place on record a Resolution "that any dispute likely to lead to a rupture between members of the League is within the sphere of action of the League, and that if not settled by diplomacy, arbitration or judicial settlement, it is the duty of the Council to deal with it in accordance with the provisions of Article 15 of the Covenant."

86. A Commission of Jurists is to be appointed to consider various questions of great importance arising out of these events, notably the legitimacy of measures of coercion which are not meant to constitute acts of war, the responsibility of a State for crimes against foreigners committed in its territory, and the sphere of the Council's activity when a dispute of which it has been seized is not admitted by one of the parties to be likely to lead to a rupture or when its settlement is being sought through some other channel. It would have been natural, as many people would have preferred, to place these questions before the Permanent Court of International Justice, but as a unanimous decision in this sense could not be obtained, the appointment of a special Commission *ad hoc* was generally regarded as satisfactory, at any rate as a preliminary step towards their solution.

87. In other directions during the past year the League gave some striking evidence of vitality. The success of the financial reconstruction of Austria has been greater than the most sanguine expectations of a year ago, and a similar effort to assist Hungary is now contemplated. Further progress has been made to the end of reducing national armaments; the promising line of approach to this problem opened by the Third Assembly has been followed up, drafts of a Treaty of Mutual Guarantee or Assistance have been under continual expert consideration, and the Fourth Assembly has registered a step in advance by adopting a preliminary draft to be submitted for the opinion of Governments.

It is also worthy of note that in subsidiary but important spheres of the League's activity, a certain measure of co-operation has been lent by the United States of America, representatives of that country having attended meetings of the Advisory Committee on Opium and Drugs and on the Traffic in Women and Children, and the meetings of the Fifth Committee on the former question.

88. The reference to the problem of reparations and inter-allied debts contained in a resolution of the Third Assembly was not further developed at the recent session. Allusion to the subject was made by Professor Gilbert Murray and Dr. Nansen in speeches in the Assembly, and by Sir H. Strakosch in Committee II., but it was generally felt that no useful purpose would be served at the present juncture by suggestions, however indirect, of the possibility of League intervention.

89. The decisions of the Assembly on the subject with which India is at present most closely concerned—that of opium—were not unsatisfactory. Her reservation concerning the use of opium in India was not challenged. It was, however, made evident in the course of the session that the Government of India must be prepared to satisfy doubts exhibited in some quarters as to the validity of the distinction between the uses of raw and prepared opium. Great interest will also attach to the proceedings of the full Conference, for which the Assembly pronounced, with a view to the limitation of the manufacture of drugs and of the production of their raw material.

90. The Delegates of India to the Third Assembly pointed out in their report that the utility of the Assembly's work will depend on the representative character of the Delegates who attend it. We also were impressed by the importance of this question. The tardiness of many Governments in ratifying conventions and other instruments adopted by preceding Assemblies has excited considerable comment, but unless delegations contain representatives fully acquainted with the views of their Governments and qualified to reflect the public opinion of the countries for which they stand, it is unlikely that prompt and full effect will be given to the Assembly's resolutions; some of the latter are also open to criticism on account of their academical or indeterminate character, and there appears to be a danger of energy being dissipated in ways which can obviously lead to no practical results and have little relation to real international problems. On the other hand we were also struck with the advantages presented by the Assembly as a medium for the discussion of those problems. The "Assembly consciousness" which was foreshadowed in the report of the Delegates of India to the First Assembly has rapidly developed, and this is undoubtedly partly due to continuity in the *personnel* of delegations and also to the growing importance attached to adequate representation by many Governments—notably those of the Dominions, some of which were represented at this Assembly by substitute delegates in addition to full delegates, whereas at the First Assembly certain of the Dominions were content with single representatives.

91. In conclusion we would wish to place on record our warm appreciation of the services rendered to the Delegation by Mr. Campbell, Commander C. B. Fry, and by our Secretaries, Mr. Walton and Mr. Ottewill. Mr. Campbell has acquired a very remarkable and precise acquaintance with the history of opium and drugs in all their bearings, and his knowledge and ready use of it was of exceptional advantage to us.

Commander Fry came to Geneva as he had done in 1920 and 1922 as Personal Assistant to His Highness the Maharaja Jam Saheb of Nawanagar. His knowledge and experience of the Assembly were placed freely at our disposal and he was appointed to act as substitute for His Highness in Committees II. and IV., which he did to our complete satisfaction.

Mr. Walton was very assiduous in his work, and by his ability and wide knowledge of the views of the India Office and of the Government of India upon all questions connected with the recent session of the Assembly, rendered very special services which it is a pleasant duty to us to record. We also derived great benefit from the experienced services of Mr. Ottewill, who has now been Assistant Secretary to the Indian Delegation for three successive years and performed his manifold duties with remarkable industry and efficiency.

(Signed) HARDINGE OF PENSHURST.
 RANJIT SINHJI OF NAWANAGAR.
 SYED HASAN IMAM.

LONDON, 1st November 1923.

APPENDIX I.

List of States represented and their Delegates. (Many Delegations were also accompanied by Substitute Delegates other than those mentioned in this List, and numerous Expert Advisers.)

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

ARGENTINE.—Not represented.

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

Substitutes.—Lieut.-Col. D. C. Cameron, C.M.G., D.S.O., M.P. Miss Jessie S. W. Webb, M.A.

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

BELGIUM.—His Excellency M. Paul Hymans (Minister of State, Member of the House of Representatives, former Minister in London, former Minister for Economic Affairs, former Minister for Foreign Affairs). His Excellency M. Prosper Poullet (Member and former President of the House of Representatives, former Minister for Science and Arts, former Minister for Transport, the Navy, Posts and Telegraphs, Professor of International Law and Diplomatic History at the University of Louvain). His Excellency Baron Beyens (Ambassador to the Holy See, former Minister for Foreign Affairs).

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

BOLIVIA.—Not represented.

BRAZIL.—His Excellency M. Afranio de Mello-Franco (Member of the Chamber of Deputies, former Minister of State, former Ambassador on special mission in Bolivia, Member of the Permanent Court of Arbitration at the Hague, Professor at the Faculty of Law of Bello-Horizonte (State of Minas-Geraes), former President of the Brazilian delegation to the fifth Pan-American Conference at Santiago). His Excellency M. Raul de Rio-Branco (Envoy Extraordinary and Minister Plenipotentiary in Switzerland). His Excellency M. Frederico de Castello-Branco Clark (Minister to Venezuela, Chef du Cabinet of the Minister for Foreign Affairs).

BRITISH EMPIRE.—The Right Hon. Lord Robert Cecil, M.P. (Lord Privy Seal). The Right Hon. Edward Wood, M.P. (President of the Board of Education). The Right Hon. Sir James Rennell Rodd, G.C.B., G.C.M.G., G.C.V.O.

Substitutes.—The Right Hon. Sir Willoughby Dickinson, P.C., K.B.E. Sir Hubert Llewellyn Smith, G.C.B. Dame Edith Lyttelton.

BULGARIA.—His Excellency M. Christo Kalfoff (Minister for Foreign Affairs). His Excellency M. Siméon Radeff (former Minister Plenipotentiary). His Excellency M. Bogdan Morfoff (former Minister).

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

CANADA.—The Hon. Sir Lomer Gouin, LL.D., K.C.M.G. (Member of the Privy Council, Minister of Justice). The Hon. George P. Graham, M.P. (Member of the Privy Council, Minister for Railways and Canals). The Hon. Peter C. Larkin (Member of the Privy Council, High Commissioner in London).

CHILE.—His Excellency M. Agustín Edwards (Envoy Extraordinary and Minister Plenipotentiary in London).

CHINA.—His Excellency M. Tang Tsai-Fou (Envoy Extraordinary and Minister Plenipotentiary at Rome, Chinese Representative on the Council of the League of Nations). His Excellency M. Tcheng Loh (Envoy Extraordinary and Minister Plenipotentiary at Paris, former Vice-Minister for Foreign Affairs). His Excellency M. Chao-Hsin Chu (Minister Plenipotentiary, Chargé d'Affaires in London).

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

COSTA RICA.—His Excellency M. Manuel de Peralta (Envoy Extraordinary and Minister Plenipotentiary at Paris).

CUBA.—His Excellency M. Cosmé de la Torriente y Peraza (former Minister for Foreign Affairs, Member of the Permanent Court of Arbitration at the Hague, President of the Committee for Foreign Affairs of the Senate). His Excellency M. Aristides de Agüero y Bethancourt (Envoy Extraordinary and Minister Plenipotentiary at Berlin and Vienna). His Excellency M. José Manuel Cortina (former Member of the Chamber of Deputies, Ministerial Secretary of the Presidency of the Republic).

Substitutes.—His Excellency M. Guillermo de Blauk (Envoy Extraordinary and Minister Plenipotentiary at Berne and the Hague). His Excellency M. Carlos de Armenteros (Envoy Extraordinary and Minister Plenipotentiary at Rome).

CZECHOSLOVAKIA.—His Excellency Dr. Eduard Benes (Minister for Foreign Affairs). His Excellency Dr. Stephan Osusky (Envoy Extraordinary and Minister Plenipotentiary at Paris). His Excellency Dr. Robert Flieder (Envoy Extraordinary and Minister Plenipotentiary at Berne, Permanent Delegate accredited to the League of Nations).

Substitutes.—His Excellency M. Jan Dvoracek (Minister Plenipotentiary, Head of the Economic Section at the Ministry for Foreign Affairs). Dr. Jan Kremer (Professor at the University of Prague). Dr. Vilem Pospisil (Director-General of the Savings Bank at Prague).

DENMARK.—His Excellency M. Herluf Zahle (Envoy Extraordinary and Minister Plenipotentiary at Stockholm, Member of the Permanent Court of Arbitration). M. Laust Moltesen (Doctor of Philosophy, Member of Parliament). M. Peter Munch (Doctor of Philosophy, former Minister for Defence, Member of Parliament).

Substitutes.—His Excellency M. Andreas Oldenburg (Envoy Extraordinary and Minister Plenipotentiary at Berne, Representative of the Royal Government accredited to the League of Nations Office). M. Holger Andersen (Doctor of Theology, Member of Parliament). M. F. Borgbjerg (Member of Parliament, Editor).

ESTHONIA.—His Excellency M. Charles-Robert Pusta (Minister Plenipotentiary at Paris). Général Johan Laidoner (Member of the Chamber of Deputies, President of the Committee for Foreign Affairs and National Defence, former Commander-in-Chief of the Esthonian Army). M. Ado Anderkopp (Member of the Chamber of Deputies, War Minister).

ETHIOPIA.—Dedjazinatch Nadeon, Count Robert Linant de Bellefonds, Ato Fassika.

FINLAND.—His Excellency M. Carl Johan Alexis Enckell (Envoy Extraordinary and Minister Plenipotentiary at Paris, former Minister for Foreign Affairs). His Excellency M. Rafael Woldemar Erich (Professor of International Law at the University of Helsingfors, Envoy Extraordinary and Minister Plenipotentiary (unattached), former Prime Minister, Member of the Chamber of Deputies). His Excellency M. Eino Rudolf Woldemar Holsti (Envoy Extraordinary and Minister Plenipotentiary at Reval, former Minister for Foreign Affairs).

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

FRANCE.—His Excellency M. Léon Bourgeois (former President of the Senate, French Representative on the Council of the League of Nations). His Excellency M. Gabriel Hanotaux (Member of the French Academy, former Minister for Foreign Affairs). M. Albert François Lebrun (Senator, former Minister).

Substitutes.—M. Henry de Jouvenel (Senator). M. Georges Marie Reynald (Senator). M. Joseph Barthélemy (Professor at the Faculty of Law at the University of Paris and at the School of Political Science, Member of the Chamber of Deputies).

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

GREECE.—His Excellency M. Nicolas Politis (former Minister for Foreign Affairs, Member of the Permanent Court of Arbitration at the Hague). His Excellency M. André Michalakopoulos (Minister Plenipotentiary).

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

GUATEMALA.—Not represented.

HAITI.—His Excellency M. Bonamy (Envoy Extraordinary and Minister Plenipotentiary at Paris).

HONDURAS.—M. Carlos Gutierrez (Chargé d'Affaires at Paris).

HUNGARY.—His Excellency M. Albert de Berzeviczy (Privy Councillor, former Minister for Public Worship and Public Education, President of the Hungarian Academy of Sciences). His Excellency M. Géza de Daruvary (Minister for Foreign Affairs). Général Gabriel Tanczos (former Minister).

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

INDIA.—The Right Hon. Lord Hardinge of Penshurst, K.G., G.C.B., G.C.S.I., G.C.M.G., G.C.I.E., G.C.V.O., I.S.O. (Privy Councillor, former Viceroy). Lieut.-Col. His Highness Maharaja Jam Saheb of Nawanagar, G.C.S.I., G.B.E. Mr. Syed Hasan Imam.

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

FREE STATE OF IRELAND.—Mr. W. T. Cosgrave (President of the Executive Council). Mr. John MacNeill (Minister for Public Education). Mr. Desmond Fitzgerald (Minister for Foreign Affairs). Mr. Hugh Kennedy (Attorney-General). Marquis MacSwiney of Mashonaglas. Mr. Osmond Grattan Esmonde, M.P.

Substitute.—Mr. Kevin O'Shiel (Assistant Legal Adviser to the Executive Council).

ITALY.—His Excellency Professor Antonio Salandra (Member of the Chamber of Deputies, former Prime Minister, Italian Representative on the Council of the League of Nations). His Excellency M. Giuriati (former Minister for the Liberated Areas). His Excellency M. Vittorio Scialoja (Professor of Law at the Royal University of Rome, Senator, former Minister for Foreign Affairs).

Substitutes.—His Excellency Count Bonin-Longare (former Ambassador at Paris). M. Stefano Cavazzoni (Member of the Chamber of Deputies, former Minister for Labour). His Excellency Count Tosti di Valminuta (Member of the Chamber of Deputies, Under Secretary of State for Foreign Affairs). M. Boggiano Pico (Member of the Chamber of Deputies). M. Paolo Bignardi. M. Francesco Coppola (Member of the Chamber of Deputies).

JAPAN.—His Excellency Viscount K. Ishii (Ambassador to the French Republic). His Excellency M. Minéiteirô Adatei (Ambassador to Belgium). His Excellency M. A. Ariyoshi (Minister at Berne).

Substitutes.—His Excellency M. M. Matsuda (Minister Plenipotentiary, Head of the Japanese League of Nations Office). M. S. Okuyama (Counsellor of Embassy, Assistant Head of the Japanese League of Nations Office). M. Y. Sugimura (Secretary of Embassy). M. S. Uchino (Medical Expert).

LATVIA.—His Excellency M. Zigfrids A. Meierovics (Prime Minister, Minister for Foreign Affairs). His Excellency Dr. Michel Walters (Envoy Extraordinary and Minister Plenipotentiary at Rome). M. Voldemars Salnais (Member of the Chamber of Deputies).

Substitutes.—His Excellency M. Olgerd Grosvald (Envoy Extraordinary and Minister Plenipotentiary at Paris). M. Vilis Schumans (Director of the Political and Economic Department at the Ministry for Foreign Affairs).

LIBERIA.—Baron Augpste Lehmann (Envoy Extraordinary and Minister Plenipotentiary in France).

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

LUXEMBURG.—M. Tony Lefort (Councillor of State, former Minister at Berne).

NETHERLANDS.—His Excellency Jonkheer J. Loudon (Doctor of Political Science, Envoy Extraordinary and Minister Plenipotentiary at Paris, former Minister for Foreign Affairs). His Excellency Jonkheer O. F. A. M. van Nispen tot Sevenaer (Doctor of Law, Envoy Extraordinary and Minister Plenipotentiary to the Holy See, former President of the Second Chamber of the States General). Jonkheer W. J. M. van Eysinga (Doctor of Law and Political Science, Professor at the University of Leyden).

Substitutes.—M. J. Limburg (Doctor of Law, President of the Order of Barristers at The Hague, former Member of the Second Chamber of States General, Member of the Executive Committee of the States Provincial of Southern Holland). M. J. P. A. Francois (Doctor of Law and Political Science, Head of the League of Nations Section at the Ministry for Foreign Affairs, Extraordinary Professor at the School for Higher Commercial Studies at Rotterdam).

NEW ZEALAND.—Col. the Hon. Sir James Allen, K.C.B. (High Commissioner in London).

NICARAGUA.—Not represented.

NORWAY.—Dr. Fridtjof Nansen (Professor at the University of Christiania). His Excellency M. Otto Albert Blehr. M. Ivan Lykke (President of the Storting).

PANAMA.—M. Antonio Burgos. M. Raoul A. Amador (Chargé d'Affaires at Paris).

PARAGUAY.—Dr. Ramon Caballero (Chargé d'Affaires at Paris).

PERU.—Not represented.

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

POLAND.—His Excellency M. Constantin Skirmunt (Envoy Extraordinary and Minister Plenipotentiary in London, Permanent Delegate to the League of Nations, former Minister for Foreign Affairs). His Excellency M. Henry Strasburger (Minister Plenipotentiary, Under Secretary of State for Foreign Affairs, former Under Secretary of State at the Ministry of Commerce and Industry). His Excellency M. Jean de Modzelewski (Envoy Extraordinary and Minister Plenipotentiary at Berne, Permanent Delegate to the League of Nations).

Substitutes.—M. François Sokal (Polish Delegate on the Governing Body of the International Labour Office). Prince S. Czetwertyński (Member of the Diet, *Rapporteur* of the Committee for Military Affairs). M. Bohdan Winiarski (Professor of the Faculty of Law at the University of Poznan, Member of the Advisory and Technical Committee for Communications and Transit).

PORTUGAL.—His Excellency M. João Chagas (former Prime Minister, former Minister for Foreign Affairs, Envoy Extraordinary and Minister Plenipotentiary in France). His Excellency Dr. Augusto de Vasconcellos (Minister Plenipotentiary, former Prime Minister, former Minister for Foreign Affairs). His Excellency General A. Freire d'Andrade (former Minister for Foreign Affairs).

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

ROUMANIA.—His Excellency M. Constantin Georges Dissesco (Senator, former Minister of State, Professor at the University of Bucharest). His Excellency M. Cornélius Manolesco-Ramniceano (former Senior President of the Supreme Court of Appeal and Justice). His Excellency M. Titulesco (Minister in London).

Substitutes.—His Excellency M. N. Petresco-Comméne (Envoy Extraordinary and Minister Plenipotentiary in Switzerland). Mlle. Hélène Vacaresco. Professor Sextil Puscaru (Professor at the University of Cluj).

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

SIAM.—His Highness Prince Charoon (Minister at Paris, Siamese Representative accredited to the Secretariat of the League). His Excellency Phya Sanpakitch Preecha (Minister at Rome). His Highness Prince Damras Damrong (Chargé d'Affaires at the Hague).

Substitutes.—M. Nai T. L. Hoontrakool (Third Secretary of Legation at Paris). M. Khun Biraj Bisdara (Third Secretary of Legation at Paris).

SOUTH AFRICA.—General the Right Hon. Jan Christiaan Smuts, C.H., K.C., M.L.A. (Prime Minister). The Hon. Sir Edgar Harris Walton, K.C.M.G. (High Commissioner in London). Sir Henry Strakosch, Kt.

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

SPAIN.—His Excellency le Comte de Gimeno (former Minister for Foreign Affairs). His Excellency M. José Quiñones de León (Ambassador at Paris, Spanish Representative on the Council of the League of Nations).

Substitute.—Rear-Admiral Marquis de Magaz.

SWEDEN.—His Excellency M. Hjalmar Branting (former Prime Minister). Baron Marks von Wuerttemberg (former Minister, President of the Court of Appeal at Stockholm). M. Jonas Eliel Lofgren (former Minister of Justice).

Substitutes.—His Excellency Baron Sten Gustaf Fredrik Troil Ramel (Minister at Berlin). Mme. Anna Bugge-Wicksell (Master of Law). M. Oesten Unden (former Minister of Justice).

SWITZERLAND.—His Excellency M. Giuseppe Motta (Head of the Federal Political Department, Federal Councillor). His Excellency M. Gustave Ador (former Federal Councillor, President of the International Red Cross Committee). Dr. Robert Forrer (Doctor of Law, National Councillor).

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

THE SERBS, CROATS AND SLOVENES, KINGDOM OF THE.—His Excellency Dr. Montchilo Nintchitch (Minister for Foreign Affairs). His Excellency Dr. Miloutine Yovanovitch (Envoy Extraordinary and Minister Plenipotentiary in Switzerland). His Excellency Dr. Lazar Markovitch (Member of the Chamber of Deputies, former Minister of Justice).

Substitutes.—Dr. Vassa I. Yovanovitch (Member of the Chamber of Deputies, Barrister). M. Rani-slav Avramovitch (Under Secretary of State at the Ministry of Transport). Dr. Milorad Straznitsky (Professor at the University of Zagreb).

URUGUAY.—His Excellency M. Alberto Gnani (Minister at Brussels, Representative of Uruguay on the Council of the League of Nations). M. Juan José Amézaga (Professor of the Faculty of Law at the University of Montevideo, President of the National Assurance Bank, Former Minister). His Excellency M. Benjamin Fernandez Medina (Envoy Extraordinary and Minister Plenipotentiary at Madrid).

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

VENEZUELA.—His Excellency Dr. José Gil Fortoul (Envoy Extraordinary and Minister Plenipotentiary at Paris and Berne, former Senator, former President of the Governing Council in charge of the Presidency of the Republic). His Excellency M. César Zumeta (Special Commissioner for the study of the commercial situation and of the state of navigation in different countries, former Senator, former Minister of the Interior). Dr. C. Parra-Perez (Counsellor of Legation, Chargé d'Affaires in Switzerland).

APPENDIX II

Miscellaneous Documents.

ANNEX I.—*Rules of Procedure of the Assembly (as amended by the Second and Third and Fourth Assemblies).*

Rule 1.—(1) The Assembly shall meet in General Session every year, at the seat of the League of Nations, commencing on the first Monday in September.

(2) Sessions may also be held at such times as the Assembly at a previous meeting decides, and at such times as the Council, by a majority vote, decides.

(3) If a Member of the League considers a Session to be desirable, it may request the Secretary-General to summon a Special Session of the Assembly. The Secretary-General shall thereupon inform the other Members of the League of the request, and enquire whether they concur in it. If within a period of one month from the date of the communication of the Secretary-General a majority of the members concur in the request, a special Session of the Assembly shall be summoned.

Rule 2.—The Sessions of the Assembly shall be held at the seat of the League, or, in exceptional circumstances, at such other place as is designated by the Assembly or by a majority of the Council, or approved by a majority of the Members of the League.

Rule 3.—(1) The Sessions of the Assembly shall be summoned by the President of the Council, acting through the Secretary-General.

(2) The summons shall be addressed to the Members of the League not less than four months before the date fixed for the opening of the Session. In exceptional circumstances, however, the Council, by a majority vote, may sanction a shorter period.

(3) Nothing contained in para. (2) of this Rule shall affect the provisions, concerning special cases, contained in the Covenant.

Rule 4.—(1) The agenda shall be drawn up by the Secretary-General with the approval of the President of the Council. The complete agenda shall be circulated as nearly as possible four months before the date fixed for the opening of the Session.

(2) The agenda of a general session shall include:—

- (a) A report on the work of the Council since the last Session, on the work of the Secretariat, and on the measures taken to execute the decisions of the Assembly;
- (b) All items whose inclusion has been ordered by the Assembly, at a previous Session;
- (c) All items proposed by the Council;
- (d) All items proposed by a Member of the League; and
- (e) The Budget for the next fiscal period, and the report on the accounts of the last fiscal period.

(3) Any Member of the League may, at least one month before the date fixed for the opening of the Session, request the inclusion of additional items in the agenda. Such items shall be placed on a supplementary list, which shall be circulated to the Members of the League at least three weeks before the date fixed for the opening of the Session. The Assembly shall decide whether items on the supplementary list shall be included in the agenda of the Session.

(4) The Assembly may, in exceptional circumstances, place additional items on the agenda; but all consideration of such items shall, unless otherwise ordered by a two-thirds majority of the Assembly, be postponed until four days after they have been placed on the agenda, and until a committee has reported upon them.

(5) No proposal for a modification of the allocation of expenses for the time being in force shall be inserted in the agenda unless it has been communicated to the Members of the League at least four months before the date fixed for the opening of the Session.

Rule 5.—(1) Each Member shall communicate to the Secretary-General, if possible before the date fixed for the opening of the Session, the names of its Representatives, of whom there shall be not more than three. The names of Substitute-Representatives may be added.

(2) Each Representative shall, as soon as possible, and preferably before the opening of the Session, present his credentials to the Secretary-General.

(3) A committee of eight members for the examination of the credentials shall be elected by the Assembly by secret ballot. The committee shall report without delay.

(4) Any Representative to whose admission objection has been made shall sit provisionally with the same rights as other Representatives, unless the Assembly decides otherwise.

Rule 6.—(1) In addition to the Substitute-Representatives mentioned in para. (1) of Rule 5, the Representatives of a Member of the League attending the Assembly, acting together as a Delegation, may appoint substitutes. Any such appointment shall be communicated in writing to the President.

(2) A Substitute-Representative appointed by a Member of the League may take the place of a Representative without nomination by the Representatives.

(3) A Substitute-Representative or substitute may take the place of a Representative who is absent from a meeting of the Assembly, or is temporarily prevented from taking part in its deliberations, but if the Representative is present at the meeting the Substitute-Representative or substitute is only entitled to assist him.

(4) A Delegation may appoint for service on a committee a deputy or technical adviser other than those referred to in the above paragraphs of this Rule; but a deputy or adviser so appointed shall not be eligible for appointment as Chairman or *Rapporteur*, or for a seat in the Assembly.

Rule 7.—(1) The officers of the Assembly shall consist of a President and of six Vice-Presidents, together with the Chairmen of the main Committees of the Assembly, who shall be *ex-officio* Vice-Presidents of the Assembly. These officers shall form the General Committee.

(2) The President shall be elected at the beginning of each session.

(3) Until the election of the President, the President of the Council shall act as President of the Assembly.

(4) The election of the Vice-Presidents shall take place at one of the early meetings of the Session.

Rule 8.—(1) The President shall announce the opening, suspension and adjournment of the meetings of the Assembly, direct the work of the Assembly, ensure the observance of the Rules of Procedure, accord the right to address the Assembly, declare the debates to be closed, put questions to the vote, and announce the result of the voting.

(2) In the general direction of the work of the Assembly, in the constitution of such committees as the Assembly decides to create, in deciding on the communications to be made to the Assembly, in the framing of the agenda for each meeting, and in the determination of the order of priority for its various items, the President shall be assisted by the General Committee.

Rule 9.—(1) The Secretary-General shall be responsible for the organisation of the Secretariat of the Assembly and of the Secretariat of any committees set up by the Assembly.

(2) The Secretary-General may be assisted or replaced at the meetings of the Assembly by a deputy or deputies. The Secretary-General, or one of his deputies, may at any time, on the invitation of the President, bring before the Assembly reports concerning any question which is being considered by the Assembly, and may be invited by the President to make verbal communications concerning any question under consideration.

Rule 10.—(1) It shall be the duty of the Secretariat, *inter alia*, to receive, print, circulate and translate documents, reports and resolutions; to translate speeches made at the meetings; to draft, print and circulate the Minutes of the Session; to have the custody and proper preservation of the documents in the archives of the Assembly; to publish the reports of the meetings; and, generally, to perform all other work which the Assembly thinks fit to entrust to it.

(2) All documents emanating from the Assembly shall be circulated to the Governments of the Members of the League.

Rule 11.—(1) The public shall be admitted to the plenary meetings of the Assembly by cards distributed by the Secretary-General.

(2) The Assembly may decide that particular meetings shall be private.

(3) All decisions of the Assembly upon items on the agenda, which have been taken at a private meeting shall be announced at a public meeting of the Assembly.

Rule 12.—A list of the attendance at each meeting of the Assembly shall be kept by the Secretariat.

Rule 13.—At the beginning of each meeting the President shall present to the Assembly all communications addressed to the Assembly or to the League, the importance of which appears to him to warrant such action.

Rule 14.—(1) The Assembly shall establish such committees as it thinks fit, for the consideration of the items on the agenda. Items of the same nature will be referred to the same committee.

(2) The Assembly shall not decide items on the agenda in full meeting until the report of a committee upon them has been presented and circulated, unless the Assembly itself, by a two-thirds majority, determines otherwise.

Reports by a Committee involving the expenditure of money must indicate whether the expenditure will constitute part of the general expenses of the League or whether it will be recovered from the Members of the League particularly concerned.

Reports by a Committee other than the Finance Committee recommending action which will involve the expenditure of money shall be accompanied by as close an estimate as time and circumstances allow of the amount of the expenditure involved. This estimate shall, before the matter is brought before the Assembly, be submitted to the Finance Committee in order that it may be checked by that Committee.

No resolution involving expenditure shall in any case be voted by the Assembly before the Finance Committee shall have expressed its opinion on the advisability of the proposed expenditure from the point of view of general budgetary resources.

(3) Each Delegation may designate one member, and may nominate technical advisers for each committee.

(4) Each committee shall appoint its Chairman and *Rapporteur*.

(5) Each committee may appoint sub-committees, which shall elect their own officers.

(6) Each committee shall meet in private unless it decides otherwise. It shall keep a Register of its discussions, and Minutes, which shall be published at the earliest possible date, but not until they have been approved by the committee. They may at any time be consulted by any Member of the Assembly.

(7) Every representative shall have the right to place before any committee any communication which he considers should be made to it, but no representative may, without special leave from the Chairman, speak at a meeting of any committee of which he is not a member.

(8) The Secretary-General or his deputies may make to any committee or sub-committee any report or verbal communication which he or they may consider desirable.

*Rule 15.**—(1) No representative may address the Assembly without having previously obtained the permission of the President.

(2) Speakers shall be called upon in the order in which they have signified their desire to speak. The Chairman and the *Rapporteur* of a committee may be accorded precedence for the purpose of defending or explaining the conclusions arrived at by their committee. The same principle shall apply to any Member of the Council.

(3) The President may call a speaker to order if his remarks are not relevant to the subject under discussion. If necessary, he may direct the speaker to resume his seat.

(4) When a motion is under discussion, a representative may rise to a point of order, and such point of order shall be immediately decided by the President in accordance with the Rules of Procedure.*

(5) The Assembly may limit the time allowed to each speaker.

Rule 16.—(1) Speeches in French shall be summarised in English, and *vice versa*, by an interpreter belonging to the Secretariat.

(2) A Representative speaking in another language shall provide for the translation of his speech into one of these two languages.

(3) All documents, resolutions and reports circulated by the President or the Secretariat shall be rendered in both French and English.

(4) Any Representative may have documents circulated in a language other than French or English, but the Secretariat will not be responsible for their translation or printing.

(5) Any Member of the League, or any group of Members, may require that all documents and publications of the League shall be regularly translated into, and printed and circulated in, a language other than French and English, but shall in such case defray all the necessary expenses.

Rule 17.—(1) Resolutions, amendments and motions must be introduced in writing and handed to the President. The President shall cause copies to be distributed to the Representatives.

(2) As a general rule, no proposal shall be discussed or put to the vote at any meeting of the Assembly unless copies of it have been circulated to all Representatives not later than the day preceding the meeting.

(3) The President may, however, permit the discussion and consideration of amendments, or of motions as to procedure, without previous circulation of copies.

Rule 18.—(1) During the discussion of any question, any Representative may move the previous question or the adjournment. Any such motion shall have priority in the debate. In addition to the proposer of the motion, two Representatives may speak in favour of, and two against, the motion.

†(2) Parts of a proposal shall be voted on separately, if a Representative requests that the proposal be divided.

(3) A Representative may at any time move the closure of the debate, whether any other Representative has signified his wish to speak or not. If application is made for permission to speak against the closure, it may be accorded to not more than two speakers.

* (1) The right to speak at the Assembly before any other speakers shall be accorded to a representative of a State Member of the Council.

(2) This right is only conferred in cases where the delegate wishes to speak for the purpose of defending or explaining to the Assembly the views, decisions or actions of the Council which are under discussion (Conclusions of General Committee (Journal of the Third Assembly, No. 14, 19th September 1922)).

† See Appendix III., Annex I. (p. 52), as to the application of these Rules in the case of the Budget.

(4) The President shall take the sense of the Assembly on a motion for closure. If the Assembly decides in favour of the closure, the President shall declare the closure of the debate.

* (5) When a number of proposals are before the Assembly, the proposal furthest removed in substance from the principal one shall be voted on first.

* (6) If an amendment striking out part of a proposal is moved, the Assembly shall first vote on whether the words in question shall stand part of the proposal. If the decision is in the negative, the amendment shall then be put to the vote.

* (7) When an amendment adds to a proposal it shall be voted on first, and if it is adopted the amended proposal shall then be voted on.

Rule 19.—(1) Except where otherwise expressly provided in the Covenant or by the terms of a treaty, decisions of the Assembly shall be taken by an unanimous vote of the Members of the League represented at the meeting.

(2) All matters of procedure at a meeting of the Assembly, including the appointment of committees to investigate particular matters, shall be decided by a majority of the Members of the League represented at the meeting.

(3) All decisions taken in virtue of these Rules shall be considered as matters of procedure.

(4) A majority decision requires the affirmative votes of more than half of the Members of the League represented at the meeting.

(5) For the purposes of this Rule, Representatives who abstain from voting shall be considered as not present.

Rule 20.—The Assembly shall vote by "Appel Nominal," except when the Members of the League represented at the meeting agree that the method of voting shall be by heads of Delegations rising in their seats, and except in the cases provided for in Rule 21. The "Appel Nominal" shall be taken in one of the following manners as the Assembly may decide:—

(a) The name of each Delegation shall be called, and one of its Members shall reply "Yes," "No," or "Not Voting." The result of the vote shall be recorded and announced to the Assembly; or

(b) The Delegation of each Member of the League represented at the meeting shall be provided with two voting tickets, on which the name of the country is written, one red and one blue, the former being "Aye," the latter "No." The voting tickets shall be deposited in an urn placed near the President's platform. When all the votes have been collected, the President shall declare the ballot closed, and the General Committee shall proceed to count the votes. The individual votes shall be communicated to the Assembly and the result shall be announced by the President.

Rule 21.—(1) All decisions relating to individuals shall be taken by a secret ballot.

(2) If, when one person only is to be elected, no one person obtains at the first ballot an absolute majority of votes, an entirely new ballot shall be taken; but on this occasion the voting shall be confined to the two candidates who obtained the largest number of votes at the first ballot. If there is at this ballot an equality of votes for the two candidates, the elder candidate shall be declared elected.

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

Rule 22.—In case of equality in any voting other than that referred to in Rule 21, in which a majority is required, a second vote shall be taken in the course of the next meeting; this meeting shall be held within 48 hours from the date on which the first vote was taken, and it shall be expressly mentioned on the agenda that a second vote will be taken on the matter in question. Unless there is at this subsequent meeting a majority in favour of the proposal, it shall be considered as lost.

Rule 22A :—

(1) "The members whose representatives are to sit on the Council as non-permanent members of that body shall be selected by the Assembly by secret ballot.

(2) "Where several seats are to be filled, the election shall be made by voting a list of names. Any ballot paper containing more names than there are seats to be filled shall be null and void.

(3) "No member shall be elected at the first or at the second ballot unless it has obtained at least the absolute majority of the votes. If, after two ballots, there still remains seats to be filled, a third ballot shall be held upon a list consisting of the candidates which obtained most votes at the second ballot, up to a number double that of the seats still to be filled, and those members shall be elected which obtain the greatest number of votes.

(4) "If two or more members obtain the same number of votes and there is not a seat available for each, a special ballot shall be held between them; if they again obtain an equal number of votes, the President shall decide between them by drawing lots."

Rule 23.—(1) The President may declare a meeting to be adjourned or suspended, if a proposal for adjournment or suspension made by him does not meet with objection from the Assembly.

(2) The President shall declare an adjournment or suspension of the meeting upon a vote to this effect by the Assembly.

Rule 24.—The General Committee, in cases where it deems it necessary, may revise the resolutions adopted by the Assembly, changing their form but not their substance. Any such changes shall be reported to the Assembly.

Rule 25.—The verbatim report of each meeting shall be drawn up by the Secretariat and submitted to the Assembly after approval by the President.

* See Appendix III., Annex I. (p. 52), as to the application of these Rules in the case of the Budget.

Rule 26.—The resolutions adopted by the Assembly shall be circulated by the Secretary-General to the Members of the League within 15 days after the termination of the Session.

Rule 27.—These Rules of Procedure shall apply to the proceedings of committees of the Assembly.

Rule 28.—These Rules of Procedure may be altered by a decision of the Assembly; but no such alteration shall be made except upon a majority vote of the Assembly, taken after a committee has reported on the proposed alteration.

ANNEX II.—Regulations for the Financial Administration of the League of Nations (as amended by the Fourth Assembly).

DEFINITIONS.

In these Regulations:—

The "League" includes the Secretariat and all autonomous and non-autonomous organisations.

"Assembly" means the Assembly of the League of Nations.

"Council" means the Council of the League of Nations.

"Autonomous organisations" include the International Labour Organisation, the Permanent Court of International Justice, and any autonomous organisation hereafter created by the Assembly.

The word autonomous has reference solely to the separation of the financial administration of such organisations from that of the Secretariat and does not imply any wider consequences.

"Competent authority" means (a) in the case of the Secretariat and non-autonomous organisations, the Council, (b) in the case of the International Labour Organisation, the Governing Body of the Labour Office, and (c) in the case of the Permanent Court of International Justice, the Court.

"Competent official" means (a) in the case of the Secretariat and non-autonomous organisations, the Secretary-General, (b) in the case of the International Labour Organisation, the Director of the Labour Office, and (c) in the case of the Permanent Court of International Justice, the Registrar of the Court; or the duly authorised deputies of these officials.

"Non-autonomous organisations" include all organisations of the League (other than the autonomous organisations) which do not form part of the general services of the Secretariat.

"Commission" means the Supervisory Commission.

"Rapporteur" means the Rapporteur of the Commission.

CHAPTER I.

THE SUPERVISORY COMMISSION.

Article 1.—(1) There shall be a Supervisory Commission to perform the duties assigned to it by these Regulations, and to deal with any other special matters referred to it by the Assembly or the Council.

(2) The Commission shall be composed of five members, of whom one at least shall be a financial expert. The members shall be appointed by the Council, which, in selecting members, shall include among them persons belonging to countries, Members of the League, which are not represented on the Council.

The Council shall also appoint two substitutes to replace, if need be, members unable to attend a meeting.

(3) The term of office of members of the Commission shall be three years corresponding to three financial years of the League, and retiring members shall be eligible for reappointment, but—

(a) the whole Commission shall not be renewed simultaneously; and, in order to establish a system of partial annual renewal, the members who were in office before the adoption of these Regulations shall retire as follows: at the end of each of the years 1923 and 1924 two members, and at the end of 1925 the remaining member, the order of retirement being determined by lot;

(b) any vacancy caused by the death or resignation of a member before the end of his term of office shall be filled by appointing a member to hold office until the end of the term of office of the member deceased or resigning.

Article 2.—(1) The Commission shall appoint from its members a Chairman, a Vice-Chairman and a Rapporteur for each financial year. They shall be eligible for reappointment.

(2) The Rapporteur shall be generally responsible for the preparation of the work of the Commission before its plenary meetings. He shall ascertain that the decisions taken by the Commission at its meetings are carried out, and shall execute all duties placed upon him by these Regulations or by the Commission.

Article 3.—(1) The Commission shall hold its sessions at Geneva, or, exceptionally and subject to the condition that greater expenditure will not be incurred, at such other place as may be decided by a vote of its members. Suitable office accommodation, as required, shall be provided by the Secretary-General for the Commission and the Rapporteur.

(2) The Secretary-General shall place the necessary clerical assistance at the disposal of the Commission and the Rapporteur. An official of the Secretariat, who shall be assisted by an official of the International Labour Office, shall act as Secretary of the Commission.

Article 4.—(1) An auditor, who shall be a person in no way in the service of any of the organisations of the League, shall be appointed by the Council on the proposal of the Commission.

(2) The auditor shall be appointed for a period of five years, and shall not be removable except by the Council and on the proposal of the Commission, with reasons stated.

(3) During his presence at the seat of any League organisation for the purposes of an audit, the auditor shall receive subsistence allowance and such other allowances as the Commission may determine, and his necessary travelling expenses shall be refunded on production of a duly certified statement.

Article 5.—(1) The competent officials shall, on their request, be heard by the Commission, whenever it is in session, and shall appear before the Commission at its request. Other officials shall appear before and give information to the Commission on a request to that effect being addressed by the Commission to the competent officials.

(2) While the Commission is not in session, the *Rapporteur* if present at the seat of the League or of one of its organisations for the discharge of his duties, shall be entitled to obtain information from officials in accordance with the preceding paragraph. The *Rapporteur* shall submit to the Chairman of the Commission any question which the competent officials request him so to submit.

(3) The Commission shall supply the Council with any information relating to its work which the Council may require.

Article 6.—All organisations of the League, autonomous and non-autonomous, and all temporary organisations hereafter created under the auspices of the League, whether their expenditure is or is not, in whole or in part, met out of the votes of the Assembly, shall comply with these regulations and with every decision of the Assembly governing financial and budgetary administration.

CHAPTER II.

FINANCIAL ADMINISTRATION OF LEAGUE ORGANISATIONS.

Article 6.—All organisations of the League, autonomous and non-autonomous, and all temporary organisations hereafter created under the auspices of the League, whether their expenditure is or is not, in whole or in part, met out of the votes of the Assembly, shall comply with these Regulations, and with every decision of the Assembly governing financial and budgetary administration.

Article 7.—(1) The financial administration of autonomous organisations shall be independent of the financial administration of the Secretariat, subject always to the provisions of these Regulations.

(2) The financial administration of the non-autonomous organisations shall be an integral part of the financial administration of the Secretariat.

(3) The Secretary-General, acting in consultation with the Advisory Committee of the organisation (if any), shall be responsible for estimating the financial requirements of the non-autonomous organisations, and for submitting such estimates. He shall likewise be responsible for the expenditure of all funds voted for these organisations, and for the appropriation of such expenditure to the proper items of the Budget.

(4) In the case of an autonomous organisation, the responsibilities dealt with in para. (3) shall rest upon the competent official or competent authority.

CHAPTER III.

DRAWING UP THE BUDGET.

Article 8.—The financial year of the League shall be the calendar year.

Article 9.—(1) For every financial year estimates shall be made of the expenditure to be incurred by the League.

(2) The estimates shall be divided into separate parts: (a) for the Secretariat, (b) for each autonomous organisation, and (c) for the Working Capital Fund, when it is necessary to ask for contributions to this fund, in accordance with the model shown in the annex.

(3) Each part (except that relating to the Working Capital Fund) shall be divided into two Sections, one for ordinary expenditure and the other for capital expenditure.

(4) The Sections referred to in para. (3) shall be subdivided into Chapters corresponding to the various services or categories of expenditure. The different organisations shall aim at uniformity of arrangement.

Article 10.—(1) There shall be included in the part of the Budget dealing with the expenses of the Secretariat the cost of sessions of the Council and the Assembly, the cost of all non-autonomous organisations, and any expenses of a bureau or commission which the Council may decide so to include in the expenses of the Secretariat in accordance with Article 24 of the Covenant.

(2) There shall be separate Chapters for each of these categories of expenditure and for the general expenses of the Secretariat.

Article 11.—The general Budget of the League shall be preceded by a summary of the estimated income and expenditure for all the organisations covered by the Budget. This statement shall set out the amount required to cover—

- (a) ordinary expenditure,
- (b) capital expenditure,
- (c) contributions, when necessary, to the Working Capital Fund.

Article 12.—(1) Each Part of the Budget, as defined in Article 9, shall consist of—

- (a) A summary of Chapters.
- (b) A full statement of items, showing for each, in addition to the sum asked for, the sum voted for the current year, and the sum voted for and the amount actually expended in the preceding year.
- (c) Wherever possible, detailed schedules and explanatory statements. The schedules shall be subdivided in accordance with the principles of Article 9.

(2) Important differences in the amounts estimated during successive years for the same items shall be fully explained by means of notes.

Article 13.—A list showing the names of the officials of the Secretariat and of other organisations, and setting out their nationalities, duties, salaries, and entertainment and house allowances (if any), shall be confidentially circulated to the Members of the League at the same time as the Budget, and to the Assembly at its regular annual session.

Article 14.—Modifications proposed in the estimates after the Budget has been circulated to the Members of the League shall, as far as possible, be included in one document; if necessary, a revised Budget shall be substituted for the original Budget. A supplementary Budget may be submitted to the Assembly by its Finance Committee.

CHAPTER IV.

ADOPTION OF THE BUDGET.

Article 15.—(1) The Secretary-General shall arrange for the Budget and the Annexes, as described in the preceding chapter, together with a general introduction, to be submitted to the Commission before the 1st May of each year.

(2) In order to enable the Secretary-General to comply with the provisions of para. (1), the competent officials of the autonomous organisations shall supply the Secretary-General with the data required on or before a date to be fixed by the Secretary-General in agreement with the officials concerned.

Article 16.—(1) The Commission shall annually examine the Budget and prepare a report thereon in time for both documents to be despatched to the Council and the Members of the League three months before the regular annual session of the Assembly.

(2) The observations of the Council upon the Budget and upon the report of the Commission shall be despatched to the Members of the League in time for them to be received at least one month before the regular annual session of the Assembly.

(3) When the Commission is considering their respective Budgets, the autonomous organisations shall be represented before the Commission in such manner as they may decide and the Commission approve. A non-autonomous organisation shall be represented by the Secretary-General, assisted by one of the officials especially responsible for its work, and, if so requested, by a member of the Advisory Committee.

(4) The Commission may not amend the Budget, as presented to it, but may propose modifications. The Commission will discuss such modifications (if any) with the competent official or authority, and report its conclusions to the Council and the Assembly.

(5) A short session of the Supervisory Commission shall be held each year during the meeting of the Assembly.

(6) It shall be the duty of the Commission at this session to examine all amendments to the Budget.

(7) The estimates in their final form shall be considered and reported upon by the Supervisory Commission before their submission to the Financial Committee of the Assembly.

Article 17.—(1) The Assembly shall not consider the Budget in plenary session until its Finance Committee has considered the Budget and the report of the Commission, and has presented its report.

(2) The Assembly may in plenary session make any amendments in the Budget which it may consider desirable. The consideration and the adoption of the Budget by the Assembly shall be governed by the rules made by the Assembly in that respect in exercise of the powers vested in it by the Covenant.

Article 18.—(1) When the Assembly or its Finance Committee discusses the budget of any autonomous organisation, such organisation may delegate one representative to assist at the meetings of the Assembly, and as many representatives as the Finance Committee may approve to assist at the meetings of the Finance Committee. Such representative or representatives may be heard, but shall not address the meeting except on the invitation of the President.

(2) The Advisory Committee of a non-autonomous organisation may, in like manner, send a representative to attend at meetings of the Finance Committee of the Assembly at which its budget is discussed.

Article 19.—(1) Modifications in the Part of the Budget dealing with the Secretariat proposed by the Secretary-General before the opening of the Assembly, shall, as far as possible, be submitted to the Council. Proposals for modification of a Part dealing with an autonomous organisation shall similarly be submitted to the competent authority of the organisation.

(2) In accordance with para. 2 of Rule 14 of the Rules of Procedure of the Assembly, and subject to any amendment thereof, the following rules shall apply:—

(a) Reports by a Committee involving the expenditure of money must indicate whether the expenditure will constitute part of the general expenses of the League or whether it will be recovered from the Members of the League particularly concerned.

(b) Reports by a Committee other than the Finance Committee recommending action which will involve the expenditure of money shall be accompanied by as close an estimate as time and circumstances allow of the amount of the expenditure involved. This estimate shall, before the matter is brought before the Assembly, be submitted to the Fourth Committee in order that it may be checked by that Committee.

(c) No resolution involving expenditure shall in any case be voted by the Assembly before the Finance Committee shall have expressed its opinion on the advisability of the proposed expenditure from the point of view of general budgetary resources.

(3) In the cases contemplated by sub-paras. (b) and (c) of para. 2, before the proposed credits are considered by the Finance Committee they shall be submitted to the Supervisory Commission, which shall report thereon. The Supervisory Commission shall, in the first place, consider whether a proposal for additional expenditure can be adopted or whether it would not be advisable to postpone such expenditure.

CHAPTER V.

COLLECTION OF FUNDS.

Article 20.—The expenses of the League shall be borne by the Members of the League in the manner prescribed by the Covenant.

Article 21.—(1) As soon as possible after the Assembly has adopted the Budget, and the total amount voted has been apportioned among the Members of the League in the manner prescribed by the Covenant, the Secretary-General shall transmit all relevant documents to the Members of the League and request them to remit their contributions as soon as possible after the beginning of the financial year for which they are due, and, in any case, to give notice when payment may be anticipated.

(2) If payment has not been made, and notice as to the anticipated date of payment has not been given, by the first day of April following, the Secretary-General shall repeat his request. He shall again repeat his request at the end of three months, and at the end of a further three months, if such notice has still not been given, and if payment of the contribution has not in the meantime been made.

(3) If, when notice is given, the date proposed is too late to meet the needs of the League, the Secretary-General shall explain the position to the Member concerned. If no payment is made on the date proposed by the Member of the League or afterwards agreed upon, the Secretary-General shall be guided as to the action to be taken by the rule of para. (2).

(4) At the first session of the Council held after each of the dates mentioned in para. (2), the Secretary-General shall present to the Council a statement on the general financial position and on the steps which he has taken. A similar statement shall annually be presented to the Assembly. The Assembly will take such action as it may deem proper.

Article 22.—(1) States, not Members of the League, which have been admitted members of any organisation of the League, shall, in the absence of any contrary provision, contribute towards the expenses of the organisation concerned as nearly as possible in the proportion in which they would contribute to such expenses if they were Members of the League. This provision shall not apply to the case of a State, not a Member of the League, which accepts an invitation to participate in the work of a League organisation without any condition as to contributing to the expenses of the organisation.

(2) The total amount receivable in accordance with para. (1) shall be shown separately in the Budget, and, when received, shall be applied to reduce the total sum chargeable for the following year to the Members of the League.

(3) In the case of non-autonomous organisations, the Secretary-General shall secure that the amounts referred to in para. (1) are collected. Autonomous organisations shall themselves collect such amounts; the rules laid down in Article 21 shall apply as far as possible, and the competent officials shall supply the Secretary-General with the information necessary for the application of those rules.

Article 23.—Receipts other than contributions payable by Governments, such as receipts from the sale of publications and other miscellaneous sources, and interest shall as far as possible be estimated in advance and be deducted, as appropriations in aid, from the estimates put forward in the Budget.

A summary of such receipts, if any, arising under each part of the Budget shall be set out as an appendix to the part under which they arise.

Article 23B.—(1) Gifts which may directly or indirectly involve an immediate or ultimate financial liability for the Members of the League may only be accepted after authorisation by the Assembly.

(2) Gifts not involving any financial liability for the Members of the League may be accepted by the Council or, where offered to an autonomous organisation, by the competent authority of the organisation, if the Council or the authority is satisfied that acceptance will not undesirably affect the general character of the League or the special organisation in question and is in accordance with the general policy which should be pursued.

CHAPTER VI.

APPROPRIATION OF FUNDS.

Article 24.—The adoption of a Budget by the Assembly shall constitute an authorisation by the competent officials or authorities to incur expenditure, during the year to which the Budget relates, for the purposes for which money has been voted in the Budget up to, but not exceeding, the amounts so voted.

Article 25.—The competent officials shall not allow any money to be expended for any purpose in excess of the amount provided in the Budget for such purpose. In order to prevent any such excess of expenditure, they shall cause all payments, as made, to be appropriated to the proper item of the Budget, and shall keep a record of such appropriations and of liabilities incurred showing at all times the amount available under each item.

Article 26.—(1) On the receipt of each contribution, the Secretary-General shall distribute to the competent officials of the autonomous organisations the proportional amount to which each organisation is entitled. The share of each autonomous organisation shall bear the same proportion to the whole contribution as the estimates of such organisation bear to the whole estimates of expenditure of the League for the year to which the contribution relates.

(2) The Secretariat and the autonomous organisations shall share in the Working Capital Fund in a proportion determined, *mutatis mutandis*, on the principle of para. (1).

(3) Where the current requirements of the Secretariat, or of an autonomous organisation, within the limits of its budget, cannot be met out of its proportional share of the contributions hitherto received or other income, the Secretary-General shall make advances to meet such requirements out of the Working Capital Fund up to the amount of the organisation's proportional share in the fund. An organisation may be advanced more than its proportional share of the fund as a temporary loan with the consent of the competent officials of the organisation, whose shares are thereby diminished.

Article 27.—(1) Where the advances which can be made under the preceding Article are not sufficient, the Secretary-General shall have power to contract loans within the limits of the Budget and with the approval of the Council, or, if the Council is not in session, of the President of the Council.

(2) The interest on such loans shall be charged to the various organisations in the proportion in which they benefit from them; but if any organisation has already received more than its proportional share of the Working Capital Fund, it shall, as from the date of contracting the loan, be charged interest on such excess as though it were money derived from the loan, and an equal amount of the loan shall be available, without interest, for the organisations whose shares of working capital have been depleted.

(3) The Secretary-General shall not borrow for any organisation in any year more than its proportional share (calculated on the same principle as its proportional share in contributions) of the total amount which he estimates that he can borrow during such year.

Article 28.—When a sum is voted in the Budget by the Assembly without specification of the precise purposes for which it is to be applied, no part of such sum shall be expended until a detailed statement as to the nature and object of the expenditure has been considered and approved by the competent authority.

Article 29.—(1) Transfers from one item to another of the same Chapter of the Budget may be effected by special resolutions of the competent authority. Such resolutions shall at once be communicated to all Members of the League and to the Assembly at the beginning of its regular annual session.

(2) Except as provided in Article 33, no transfer other than those mentioned in para. (1) above shall be made.

Article 30.—(1) Payments in respect of transactions for which provision is made in the Budget of the particular year, and which take place before 31st December of that year, may be charged to the accounts of that year if they are made not later than 15th February of the following year.

(2) Persons to whom any payment is due out of the Budget for any year shall be requested to submit their accounts in good time before 15th February of the following year, and shall, so far as is possible, be tendered payment before that date.

(3) There shall be included in each Part of the Budget for each year a fund, known as the "Unpaid Liabilities Fund," for the purpose of enabling the competent officials to pay debts which are due in respect of transactions covered by the Budget for the previous year, but which could not be paid in time to be chargeable to such year owing to unavoidable or excusable delay in the presentation or settlement of the accounts.

(4) Creditors who, after their attention has been called to the provisions of this Article, neglect to present their accounts in time to allow of payment by the prescribed date, if they cannot be paid out of the Unpaid Liabilities Fund without preventing payment therefrom of creditors who satisfy the requirements of para. 3, shall be informed that their accounts cannot be paid until the necessary sum has again been voted by the Assembly.

CHAPTER VII.

THE WORKING CAPITAL FUND: INVESTMENT OF FUNDS.

Article 31.—(1) The Working Capital Fund is a fund established for the purposes mentioned in Article 33 below, and constituted by monies voted by the Assembly and payable by the Members of the League, in addition to the sum voted for the expenses of the year.

(2) The sums paid by Members of the League since 10th January 1920 for the purpose of constituting or augmenting the Working Capital Fund shall be carried to the credit of the Members which have paid such sums.

(3) The Assembly may liberate all or part of the sums constituting the Working Capital Fund, and the sums so liberated shall be returned to the Members which have contributed to the Fund in proportion to their respective contributions.

(4) Subject to a decision of the Assembly, the States which for any reason cease to be Members of the League shall be entitled to the reimbursement of the total amount of their contributions to the Working Capital Fund.

(5) Members joining the League after 15th November 1920 are entitled to increase their contributions to the Working Capital Fund or to contribute thereto in the proportion of payments made by other Members, even if the Working Capital Fund reaches the maximum limit fixed for it. This provision shall be communicated by the Secretary-General to all the Members which entered the League after 15th November 1920.

Article 32.—(1) The Working Capital Fund shall be administered as a separate account. As soon as a Member pays its contribution, the Working Capital Fund Account shall be immediately credited with a portion of the contribution corresponding to the ratio between the amount voted in respect of the Working Capital Fund for the year and the total amount voted for the year.

(2) The account shall be debited with the amounts withdrawn in accordance with these Regulations.

Article 33.—(1) In accordance with Article 26, para. (2), the Working Capital Fund is primarily applicable to meet temporarily normal requirements of regular organisations of the League which cannot be paid out of income at the time when they are due to be met. Such organisations shall have the first claim to assistance from the fund. The assistance shall be given in the form of advances from the fund to the competent officials of the organisations, and such advances shall be repaid to the fund as soon as the necessary income is available.

(2) Recoverable advances required for work undertaken by the League may be made from the Working Capital Fund if the money is not required for the regular organisations. Such advances must be authorised by a special resolution of the Council, which shall keep the Members of the League fully informed with regard to all such resolutions and advances.

(3) Repayments of recoverable advances shall be paid into the fund from which the advances were drawn pending a decision by the Assembly as to their final disposal.

(4) Sums drawn from the Working Capital Fund by way of recoverable advances under the terms of para. (2) above, but which the Council subsequently decides cannot, in fact, be recovered, shall be repaid to the Fund, either by means of a transfer approved by the Council from some other part of the Budget for the current year or by means of a specific vote for the purpose in the Budget for the year following that in which they were declared by the Council to be irrecoverable.

Article 34.—The Secretary-General may place the Working Capital Fund, and any other funds not immediately required for use, on deposit at interest with the bankers of the League, or in other banks of internationally recognised standing, for such periods as he may consider desirable. The interest received shall be dealt with in accordance with Article 23.

CHAPTER VIII.

THE ACCOUNTS.

Article 35.—The annual accounts shall consist of two parts:—

(1) A budget account showing for each item: (a) the original vote, (b) the vote as modified by any transfers which may have been approved by the competent authority, (c) the actual expenditure incurred.

(2) A statement of assets and liabilities as at the 31st December.

Article 36.—(1) A statement showing the position of the Working Capital Fund, based on the account mentioned in Article 31, shall be attached to the accounts as an annex.

(2) A statement showing for the past financial year (a) any recoverable advances made from the Working Capital Fund, and (b) any expenses borne on a vote for unforeseen expenses incurable only by special resolution of a competent authority, shall be annexed to the accounts.

(3) There shall be attached to the accounts as annexes: a memorandum showing for the past financial year the resolutions of the Council with reference to: (a) any recoverable advances made from the Working Capital Fund; (b) any advances originally thought to be recoverable and ultimately considered by the Council to be irrecoverable; and of the competent authority with reference to; (c) any expenses borne on a vote for unforeseen expenses incurable only by special resolution of a competent authority; (d) any transfers made in the Budget.

Article 37.—(1) The procedure prescribed in Chapter IV. with regard to the Budget shall, *mutatis mutandis*, apply also to the accounts.

(2) The Secretary-General shall see that the accounts and the annexes for each year reach the Commission before the 1st April of the following year.

(3) The provisions of Chapter IV. concerning the representation of the various organisations at meetings of the Commission and the Assembly or its Finance Committee, shall also apply to the submission and discussion of the accounts.

Article 38.—(1) The Assembly shall finally pass the expenditure and income accounts and shall disallow any item which it may consider improper and may direct the corresponding amendments to the accounts. The accounts, with the modifications (if any) made by the Assembly, shall be adopted by the Assembly.

(2) If the Assembly disallows any item in the accounts, it shall, at the same time, decide what means shall be taken to deal with the matter.

Article 38A.—The difference between the actual receipts and the expenditure for each completed financial year shall be entered in the Budget of the second year following. If the difference constitutes a credit balance, it shall be used to effect a corresponding reduction of the sum to be collected from the Members of the League by way of contribution for the year in the Budget of which it is entered: if the difference represents a deficit, the sum to be contributed by Members of the League for such year shall be increased by the amount of the deficit.

CHAPTER IX.

INTERNAL CONTROL.

Article 39.—The competent officials shall designate the officials who may incur liabilities and make payments on behalf of, or out of the funds of, the respective organisations. They shall make rules to secure (a) that no liabilities are incurred or payments made except by such officials, (b) that no liabilities are incurred which are not provided for in the Budget, (c) that no payment is made for which the liability has ceased, and (d) generally to establish strict control enforcing observance of the rules of this Article.

Article 40.—(1) The competent officials shall make rules to ensure the exercise of the greatest economy in incurring liabilities.

(2) In all cases in which it seems to be desirable, and in any event in the case of any single purchase of supplies likely to exceed 10,000 Swiss francs in cost, tenders shall be invited by advertisement in at least two leading newspapers belonging to different countries, and in the *Monthly Summary* of the League or an official publication of any autonomous organisation concerned.

(3) The competent officials shall determine who may open and accept tenders, and make rules for guidance in accepting tenders.

Article 41.—In order to ensure economy, the competent officials shall cause an accurate record to be kept of all capital acquisitions, and of all supplies purchased and used during each year, and shall submit to the auditor, with their accounts, a statement showing the stores in hand at the 31st December, distinguishing stores purchased from capital and stores purchased from revenue.

Article 42.—(1) The competent officials shall make rules prohibiting the use of the property or the services of the League for private purposes, except with due authorisation given in the interests of the League and subject to specific regulations.

(2) Such regulations shall provide for payment, unless there is a reason to forego payment in the interest of the League, and shall contain the necessary provisions to ensure that all payments due are regularly collected.

CHAPTER X.

EXTERNAL SUPERVISION.

Article 43.—(1) The provisions of the following Articles are without prejudice to the provisions of other Chapters defining the supervision exercisable by the Commission.

(2) The following Articles are without prejudice to the power of the Commission under other Chapters, where no special mention is made of the *rapporteur* or the auditor, to delegate to them powers and duties by the regulations which the Commission makes for the conduct of its business.

Article 44.—(1) The accounts of the League shall be audited by the auditor after the closing of the accounts for each year, and, in addition, three times during the course of each year.

(2) The three audits which are to be performed during the year shall be at such time as the Commission may determine, but reasonable notice shall be given in advance to the competent officials of the organisations concerned.

(3) The auditor shall report to the Commission upon each audit. The audit of the closed accounts of each year shall be completed and be submitted, with the auditor's report thereon, to the Commission not later than the 15th April in the year following.

Article 45.—The auditor shall be entitled to see, on demand, any document which is relevant to his examination of the accounts or other duties. Not later than the 10th of each month, a statement of receipts and expenditure for the preceding month shall be forwarded to him, together with the report of the Internal Control Officer.

Article 46.—For the purpose of each of the audits, the competent officials shall furnish to the auditor, at the seat of the organisation concerned, budget accounts, with vouchers, showing all receipts and payments for every completed month since the last audit down to the close of the preceding month.

Article 47.—(1) The auditor shall verify whether the receipts and payments are in accordance with the Budget and with the regulations.

(2) With respect to the payments, he shall in particular ascertain whether any sums have been paid which were not due, and whether any double or over-payments have been made.

(3) Any question which the auditor may raise with regard to any receipt or payment, and upon which he is not satisfied by such verbal explanation as he may receive from the competent official, shall be put to such official and be answered by him in writing, and the question shall, if the reply is not satisfactory to the auditor, be placed before the Commission.

Article 48.—(1) The auditor shall include in his report upon the closed accounts for each year a statement dealing with:—

- (a) The receipts of the League during the year.
- (b) The amounts receivable at the 31st December.
- (c) The amounts recoverable at the 31st December.
- (d) The stores in hand at the 31st December.
- (e) The liabilities at the 31st December.
- (f) Any other items which the Commission may deem it necessary to add hereto.

(2) In addition to the reports referred to in Article 44, the auditor may, if he thinks fit, report to the Commission from time to time, and shall so report if the Commission so determines.

Article 49.—(1) After considering the reports submitted by the auditor, the *rapporteur* shall draft a general report on the accounts of each year for the consideration of the Commission. This report shall deal in detail with all matters likely to be of interest concerning the financial administration of the League during the year in question.

(2) The *rapporteur* shall at once send to the competent officials copies of the parts of his draft report relating to their organisations.

FINAL PROVISIONS.

Article 50.—(1) Rules made by the competent officials, in order to carry out the provisions of these Regulations, shall be communicated to the Commission in due time before the next session of the Commission.

(2) The rules of internal financial administration hitherto in force in the various organisations shall be brought into conformity with these Regulations.

Article 51.—These Regulations shall not be amended except by the Assembly acting upon the advice of its Finance Committee; but, where it is proved to the Commission that some alteration or addition is urgently required, the Commission is authorised to approve and put into temporary operation such alteration or addition, but shall report thereon to the Council and the Assembly as soon as possible for final decision by the latter.

Article 52.—The present Regulations shall come into force on the 1st January 1923.

ANNEX III. :—*Communication from the Council to the Assembly on 28th September regarding certain questions of interpretation of the Covenant, &c.*

Viscount Ishii (Japan), President of the Council, made the following statement:—

“I am charged by my colleagues to inform the Assembly that the Council passed the following resolution at its meeting this afternoon:—

“At its meeting of 22nd September 1923 the Council asked a Committee of Jurists to formulate questions with regard to certain points concerning the interpretation of the Covenant and other matters of international law which the Council had had under consideration.

“The Committee submitted to the Council on 26th September the following questions:—

“*Question 1.*—Is the Council, when seized at the instance of a Member of the League of Nations of a dispute submitted, in accordance with the terms of Article 15 of the Covenant, by such a Member as ‘likely to lead to a rupture’ bound either at the request of the other party or on its own authority, and before enquiring into any point, to decide whether in fact such description is well-founded?”

“*Question 2.*—Is the Council, when seized of a dispute in accordance with Article 15, para. 1, of the Covenant at the instance of a Member of the League of Nations bound, either at the request of a party or on its own authority, to suspend its enquiry into the dispute, when, with the consent of the parties, the settlement of the dispute is being sought through some other channel?”

“*Question 3.*—Is an objection founded on Article 15, para. 8, of the Covenant the only objection based on the merits of the dispute on which the competence of the Council to make an enquiry can be challenged?”

“*Question 4.*—Are measures of coercion which are not meant to constitute acts of war consistent with the terms of Articles 12 and 15 of the Covenant when they are taken by one Member of the League of Nations against another Member of the League without prior recourse to the procedure laid down in those articles?”

“*Question 5.*—In what circumstances and to what extent is the responsibility of a State involved by the commission of a political crime in its territory?”

“The Members of the Council being in agreement that any dispute between Members of the League likely to lead to a rupture is within the sphere of action of the League, and that if such dispute cannot be settled by diplomacy, arbitration or judicial settlement, it is the duty of the Council to deal with it in accordance with the terms of Article 15 of the Covenant, the Council

decides that these questions shall be referred to a Special Commission of Jurists for an opinion as to the answers to be given.

"The Council resolves that the Report of the Special Commission of Jurists shall be submitted to it in time for consideration at its meeting in December. Each Member of the Council may nominate within a period of 15 days a jurist to be a member of the Commission. The members thus nominated, together with the Director of the Legal Section of the Secretariat, will constitute the Special Commission of Jurists."

ANNEX IV.—*Resolutions of the Advisory Committee on Opium,
at its May-June session, 1923.*

RESOLUTIONS.

I.—(1) The Advisory Committee on Traffic in Opium accepts and recommends to the League of Nations the proposals of the United States representatives as embodying the general principles by which the Governments should be guided in dealing with the question of the abuse of dangerous drugs and on which, in fact, the International Convention of 1912 is based, subject to the fact that the following reservation has been made by the representatives of the Governments of France, Germany, Great Britain, Japan, the Netherlands, Portugal and Siam:—

"The use of prepared opium and the production, export and import of raw opium for that purpose are legitimate so long as that use is subject to and in accordance with the provisions of Chapter II. of the Convention."

(II) The Advisory Committee, appreciating the great value of the co-operation of the Government of the United States of America in the efforts which the League has for the past two years been making to deal with the question of the abuse of dangerous drugs, expresses the belief that all the Governments concerned will be desirous of co-operating with that Government in giving the fullest possible effect to the Convention.

(III) In bringing the American proposals to the notice of the Council and the Assembly, the Advisory Committee would recall that, during the two years that have elapsed since the Convention came into operation, it has worked towards the same ends by: (1) taking all possible steps to secure the adherence of all countries to the Convention; (2) investigating the question of the world's needs of the manufactured drugs for medicinal and scientific uses with a view to the eventual limitation of the production of these drugs; (3) recommending the system of import certificates, arranging the exchange between States of information in regard to the illicit traffic in the drugs, and proposing other measures for securing international co-operation in suppressing that traffic; (4) inviting the Powers with territories in the Far East to review their requirements of opium, and submitting proposals for an investigation by the Chinese Government of the conditions in China, with a view to the more effective application of Chapter II. of the Convention and the solution of the problem of the use of prepared opium in the Far East; (5) collecting and publishing information as to the measures taken to give effect to the Convention and the position generally in all countries in regard to the traffic, with a view to securing the enforcement of the Convention.

(IV) As a means of giving effect to the principles submitted by the representatives of the United States and the policy which the League, on the recommendation of the Committee, has adopted, and having regard to the information now available, the Advisory Committee recommends to the Council the advisability of inviting—

(a) The Governments of the States in which morphine, heroin, or cocaine and their respective salts are manufactured and the Governments of the States in which raw opium, or the coca leaf are produced for export for the purpose of such manufacture;

(b) The Governments having territories in which the use of prepared opium is temporarily continued under the provisions of Chapter II. of the Convention and the Government of the Republic of China,

to enter into immediate negotiations (by nominating representatives to form a committee or committees or otherwise) to consider whether, with a view to giving the fullest possible effect to the Convention of 1912, agreements could not now be reached between them—

(a) as to a limitation of the amounts of morphine, heroin or cocaine and their respective salts to be manufactured; as to a limitation of the amounts of raw opium and the coca leaf to be imported for that purpose and for other medicinal and scientific purposes; and as to a limitation of the production of raw opium and the coca leaf for export to the amount required for such medicinal and scientific purposes. The latter limitation is not to be deemed to apply to the production and export of raw opium for the purpose of smoking in those territories where that practice is temporarily continued under the provisions of Chapter II. of the Convention;

(b) as to a reduction of the amount of raw opium to be imported for the purpose of smoking in those territories where it is temporarily continued, and as to the measures which should be taken by the Government of the Republic of China to bring about a suppression of the illegal production and use of opium in China.

Reservation by the Representative of the Government of India.

The representative of the Government of India associates himself with the foregoing resolution, subject to the following reservation regarding para. 1:—

"The use of raw opium, according to the established practice in India, and its production for such use are not illegitimate under the Convention."

2. The Advisory Committee, having regard to the large amount of detailed information now available, recommends the Council to invite the Powers with Far Eastern territories where the use of opium for smoking is temporarily continued in pursuance of Chapter II. of the Opium Convention, to enter into immediate negotiations, by means of calling a special conference of representatives of these Governments, or otherwise, to consider what measures could be taken to give a more effective application to Chapter II. of the Convention and to bring about a reduction of the amount of opium used, and whether, on the lines

of the suggestions set out below or on other lines, an agreement or understanding could not now be reached for the adoption of a uniform policy on the matter:—

- (i) That the farm system, where it is still in operation, should be abolished, and that the opium business should be made a Government monopoly and kept entirely in the hands of the Government.
- (ii) As a corollary of para. (i), that the retail sale of prepared opium should be made only from Government shops, and that all private shops should be abolished. Persons in charge of Government shops should be paid a fixed salary without any commission on the amount of business done, and therefore would have no temptation to push the sales.
- (iii) That a uniform maximum limit should be fixed for the amount of prepared opium placed on sale for consumption, calculated according to the number of the adult Chinese male population, e.g., *x* taels per 10,000 adult Chinese males in the territory, and that the annual imports of raw opium should be limited to the amount required for that rate of consumption.
- (iv) That the possibilities of the system of registration and licensing, which has already been introduced in some of the Far Eastern territories, should be thoroughly explored.
- (v) That the possibility should be considered of making uniform, so far as circumstances permit—
 - (a) the price at which prepared opium is retailed in the different territories, and
 - (b) the penalties for infraction of the law in regard to the import, export, sale and use of prepared opium.
- (vi) That the interested Powers, that is, the Powers having territories in the Far East where the consumption of prepared opium is still permitted, should conclude an agreement among themselves to apply the foregoing measures for the purpose of carrying out Chapter II. of the Convention.
- (vii) That the position should be generally reviewed periodically by the Powers interested and the question of further reducing the maximum limit fixed in the agreement should be considered.

3. The Advisory Committee asks the Council to request the Governments to communicate their views as to the possibility of a total suppression of the manufacture of heroin or of its limitation to the minimum amount required.

4. The Advisory Committee, being convinced of the great value of the information contained in the annual reports which each Government has been requested to transmit to the Secretariat, once more recommends the Council to urge on the Governments the importance of sending regularly to the Secretariat such reports, which should contain the fullest possible information, both with regard to the production of and the traffic in opium and other narcotics.

5. The Advisory Committee recommends the Council to draw the attention of the Governments to the extreme desirability not only of direct communication to other immediately interested Governments of the details of any seizures made, but also of a general communication to the Secretariat of the League of Nations of all important seizures in order that the fullest international publicity may be secured by the transmission, with the consent of the Governments concerned, of this information by the Secretariat both to other Governments not immediately concerned in the specific case and to the Press.

6. The Advisory Committee recommends that the statement prepared by the Secretariat for the Sub-Committee on Customs Statistics, together with the memorandum prepared by Sir Malcolm Delevingne on the position of bonded warehouses in regard to the traffic in narcotics, should be communicated to the Governments with a request for their observations.

7. The Advisory Committee, considering that the infliction of severe penalties on persons engaged in the illicit traffic in narcotics is one of the best means of preventing the spread of that traffic, recommends the increase of penalties in certain countries, the adoption of the penalty of imprisonment, and, if possible, of prohibition of residence (*interdiction de séjour*), a very strict application of the penalties laid down, and the introduction of clauses providing for the punishment of infractions committed in foreign countries.

ANNEX V.—Resolutions of the Advisory Committee on the Traffic in Women and Children.

RESOLUTIONS.

1. The Advisory Committee, having decided that, during the present session, only the discussion of the draft report to be presented to the Council should be taken in public, requests the Council to state whether it desires full publicity to be given in future to the meetings of the Advisory Committee, subject to its discretion.

2. The Advisory Committee recommends that the Council should instruct the Secretariat to prepare a summary of the annual reports received from Governments and to distribute it to all Members of the League and of the Advisory Committee.

3. The Advisory Committee recommends that the Council should invite each Government which has not already furnished a full statement of the laws and regulations in force in its country relative to the traffic in women and children to do so; that the Secretariat should cause a digest of these laws and regulations to be prepared and distributed to the Members of the League and of the Advisory Committee, and that information regarding new laws and regulations should be distributed annually.

4. The Advisory Committee recommends that the Council should again draw the attention of all Governments to the desirability of adhering to or ratifying the Convention of 1921 without delay.

5. The Advisory Committee recommends that the Council should be asked to obtain, with the collaboration of the International Labour Office, information on the following matters relating to the emigration of women and children in so far as they are connected with the traffic:—

- (a) Arrangements for the protection of emigrants and transmigrants before departure.
- (b) Regulations providing for their protection during the voyage.
- (c) Measures taken to accommodate and to find employment for them on arrival.
- (d) Treatment of undesirables.

The voluntary associations should be asked to supply such information on these matters as they can furnish from their own experience or enquiries.

6. The Advisory Committee, having, at the request of the Third Assembly of the League, examined the question of the employment of foreign women in licensed houses, recommends that, pending the abolition of the system of State regulation, no foreign woman should be employed or carry on her profession as a prostitute in any licensed houses.

7. The Advisory Committee requests the Council of the League to authorise the issue of a questionnaire to the Members of the League asking those States which have a system of regulation for a full report of its workings and results, together with a statement of the grounds on which it is advocated, and those States which previously had a system of regulation but have abandoned it for a report of the reasons that led them to take this course and of the results which have followed their action.

8. The Advisory Committee, having regard to the useful work done by women police in countries where they have been employed, recommends that women as well as men should be employed among the police engaged in dealing with prostitution.

9.—(a) The Advisory Committee recognises the great value of the proposal made by the delegate of the United States of America. A general study of the conditions under which the traffic in women and children is carried on would form a valuable source of information for the Advisory Committee.

(b) The Advisory Committee suggests that the Council might appoint an expert or experts to undertake a study on the spot, with the collaboration of the Governments of the countries concerned and in consultation with any expert whom they may desire to nominate; and if the principle of such a study commends itself to the Council, the Committee would like to see the work undertaken without delay.

(c) If the expenses of such a study cannot be met by the League, the Council should consider whether the cost can be met from some other source.

10. The Advisory Committee adopts the budget for the financial year 1924 for the work of the Advisory Committee on the Traffic in Women and Children. It notes with satisfaction that, as compared with the budget for the current financial year adopted by the Committee at its last session, the proposed budget for 1924 shows considerable reductions.

ANNEX VI.—Table showing under the main heads, Expenditure for 1922, Budget for 1923, Budget for 1924, as originally submitted to Committee IV., Budget for 1924, including alterations made by Committee IV., after further scrutiny by the Supervisory Commission, and as finally passed by the Assembly.

A.—Secretariat and Special Organisations.

PART I.—CURRENT EXPENDITURE.

CHAPTER.	Expenditure, 1922.	Budget, 1923.	Budget for 1924 as submitted by the Supervisory Commission to the Fourth Committee.	Budget for 1924 presented by Committee IV. and passed by the Assembly.
	Gold francs.	Gold francs.	Gold francs.	Gold francs.
I. Assembly and Council Sessions - - -	614,659	700,000	642,000	532,500
II. General Services of Secretariat - - -	5,227,135	6,784,945	6,429,658	6,156,661
III. Special Organisations of the League Refund of Expenses (Vilna Plebiscite) - - -	2,914,794	5,722,825	4,886,366	4,452,288
IV. Loss on Exchange - - -	110,018	200,000	100,000	—

PART II.—CAPITAL EXPENDITURE.

V. Buildings, Permanent Equipment, &c. - |	1,207,898	1,263,016	1,157,000	1,157,000
------------------------------------------	-----------	-----------	-----------	-----------

B.—International Labour Organisation and Permanent Court of International Justice.

International Labour Organisation :—				
Ordinary Expenditure - - -	6,581,622	8,060,462	7,025,600	6,917,295
Capital Expenditure - - -	197,429	140,000	125,000	115,000
Permanent Court of International Justice :—				
Ordinary Expenditure - - -	1,276,229	1,880,000	1,943,811	1,916,002
Capital Expenditure - - -	—	—	4,166	4,166
Working Capital Fund - - -	—	500,000	2,520,274	2,077,774
Total - - -	18,129,784	25,673,508	24,870,570	23,328,686*

* Or, 23,233,635 gold francs after deduction of surplus of 93,051 gold francs from previous financial periods.

APPENDIX III.

Reports of the Committees of the Assembly.*ANNEX I.—Report by the General Committee on Procedure of Adoption of the Budget at Plenary Meetings of the Assembly.*

At the third session of the Assembly, a question arose as to whether the budget of the League could be voted by a majority or only by unanimity, and it was decided that the Council should be asked to consider the question.

The Council considered the subject thus referred to it on 29th January 1923.

On the legal question as to what constitutes a valid adoption of a budgetary resolution by the Assembly, the Council agreed with the opinion expressed by its *Rapporteur*, M. Tang Tsai-Fou, which has been communicated to the Assembly in Document A. 3. 1923. V.

The question as to what would be the most desirable method of procedure for the Assembly to adopt in the preliminary stages before the final voting of the budget was referred by the Assembly to the General Committee on 10th September last. The General Committee has now the honour to place the following recommendations as to procedure before the Assembly:—

- (1) The opinion expressed by the Council to the effect that the adoption of budgetary proposals by the Assembly requires a unanimous vote should be concurred in by the Assembly.
- (2) The Rules of Procedure of the Assembly (Rule 18, paras. 2, 5, 6 and 7) establish the procedure to be followed in dealing with amendments to the budget proposed at the plenary meetings.

It would be convenient that the Rules should be applied in the following manner:—

- (a) The budget as presented by the Finance Committee will be regarded as a single proposal which, if no amendments are moved, will be submitted for adoption, as a whole, by a single vote of the Assembly.
- (b) If amendments are moved to the budget as presented by the Finance Committee, the President of the Assembly, after ascertaining all the credits on which the various Delegations desire to propose amendments, will divide the budget and put to the vote, as a whole, all those credits on which no question of amendment arises.
- (c) The President will then successively submit for discussion the various credits which Delegations desire to alter.

If amendments proposed to particular credits are not opposed, the credits as amended will be put to the vote.

If, on the other hand, amendments proposed to particular credits do not secure unanimous agreement, those credits will, if possible, be referred back to the Finance Committee, in order that they may be discussed there and new proposals be presented to the Assembly. If time does not permit of referring to the Finance Committee credits in regard to which unanimous agreement cannot for the moment be secured in the Assembly, the President will ask the Assembly to adjourn its definitive decision on such credits for a sufficient time to permit of discussion of conflicting views between the various Delegations and of an attempt to find a solution by agreement.

ANNEX II.—Report of the First Committee on the proposals of the British Government for the amendment of Article 16 of the Covenant (Rapporteur: Dr. Limburg).

The First Committee, having examined the amendments to Article 16, para. 1, of the Covenant proposed by the British Government on 30th July 1923, has the honour to submit to the Assembly the following Resolution:—

“The Assembly decides to defer discussion of the British Government’s amendments to Article 16 of the Covenant until the Fifth Assembly (1924).”

The Second Assembly adopted, among others, an amendment to the text of para. 1 of Article 16, which the new British amendment proposes to modify still further. The second sentence of para. 1, as amended by the Second Assembly, is worded as follows:—

“Which hereby undertake immediately to subject it to the severance of all trade or financial relations, the prohibition of all intercourse between persons residing in their territory and persons residing in the territory of the covenant-breaking State and the prevention of all financial, commercial or personal intercourse between persons residing in the territory of the covenant-breaking State and persons residing in the territory of any other State, whether a Member of the League or not.”

The British amendment would modify this phrase as follows:—

“Which hereby undertake immediately to subject it to the severance of all trade or financial relations, and to prohibit all intercourse even if not between their nationals and the nationals of the covenant-breaking State, at least between persons resident within their territories and the persons resident within the territory of the covenant-breaking State, and to prevent all financial, commercial or personal intercourse, even if not between the nationals of the covenant-breaking State and the nationals of any other State, whether a Member of the League or not, at least between persons resident in the territory of that State and those residing in the territory of any other State, whether a Member of the League or not.”

The reasons which have led the Committee to formulate the above-mentioned proposal are the following:—

- (1) The number of States which have ratified the amendments to Article 16 which were adopted by the Second Assembly is not yet sufficient to allow these amendments to come into force. It would not, therefore, be opportune to adopt new amendments on the same subject as amendments already adopted but not yet completely ratified; such action might even cause a certain amount of difficulty—as regards their constitutional law—to certain States Members of the League.
- (2) It would not be opportune to recommence in the present Assembly a discussion on the blockade as provided for in Article 16.
- (3) The drafting of the British amendment does not appear to be quite clear. The words “if not” (*si non*) and “at least” (*au moins*) might give rise to some ambiguities, which one should endeavour to remove by redrafting the text after examination and farther discussion.

Naturally, all the members of the Committee did not attach equal importance to these three reasons: some considered one reason more important and some another.

The second British amendment proposes to delete the words “in such case,” at the beginning of para. 2 of Article 16, on the ground that they will be superfluous as soon as the paragraph becomes para. 5 in consequence of the entry into force of the amendments adopted by the Second Assembly.

Although this amendment only constitutes an improvement of drafting, the Committee feels that, as the first amendment has been adjourned until next Assembly, it would be better to adjourn the second amendment also until that Assembly.

ANNEX III.—*Report of the Second Committee on the Work of the Economic and Financial Commission.*

(A.)—REPORT ON THE WORK OF THE FINANCIAL COMMITTEE.

(Rapporteur: M. Fernandez y Medina.)

Since September 1922, the work of the Financial Committee has extended over a range of subjects a part of which is within the province of two of my colleagues on the Second Committee. M. Ador has already explained the part played in the reconstruction of Austria by the members of the Financial Committee, both in the preparation of protocols in September and October 1922, and in their capacity as the Provisional Delegation of the League of Nations, when they carried out the preliminary work at Vienna pending the Commissioner-General's arrival. M. van Eysinga, who will deal more particularly with questions affecting the Economic Committee, has detailed the results of the work undertaken by the Financial Committee on subjects which fell within the competence of both, such as our collaboration with the International Labour Office on the unemployment problem, and the issue of publications by the Economic and Financial Organisation. I need therefore deal only with the other branches of the Financial Committee's work.

As you are well aware, all this work is based on the general ideas put forward by the International Financial Conference at Brussels in 1920.

The duty of the Financial Committee—which, as you will find, it performs most admirably—is, as far as possible, to give practical effect to those ideas which are known throughout the world as the “Brussels Resolutions.”

The publications of the Economic and Financial Section, to which M. van Eysinga will refer, have informed the public of what has been done in this direction.

As you know, however, the Financial Committee's activities are not confined to the compilation of statistical reports, however perfect. The memorandum on Public Finance, the memorandum on Currency, the memorandum on Central Banks of Issue, and the report on the principles laid down at Brussels undoubtedly constitute valuable material for investigation, but the Committee's chief ambition is to further the practical application of the principles of sound finance.

The work of which I have to speak to you as regards the year 1922–23 falls under two heads, general and special. Among the questions of general interest which came before its notice, the Committee, during the past year, without neglecting its enquiry into currency and exchange problems, which are of primary importance to it, has attempted to further a solution of the serious problem of double taxation.

For some years, the public has been feeling the evils of double taxation. From the point of view of equity, the taxpayers' interests suffer serious damage from the fantastic proportions of the rates of taxation applied to the same sources of income in two different countries, while, from the general economic point of view, there can be no doubt that the free circulation of capital is hampered by the absence of any international boundary line for the operation of fiscal tariffs.

The Financial Committee of the League of Nations organised an investigation into the problem of double taxation, and asked two separate groups of experts to consider it.

The first group consisted of four eminent economists—M. Bruins, M. Einaudi, M. Seligman and Sir Josiah Stamp—who discussed the matter during the year 1922 and drew up a valuable report at a meeting held at Geneva in March 1923. This report was communicated to all the States Members of the League. It opens with a survey of the economic consequences of double taxation, which is followed by an examination of the general principles upon which every State bases its right to levy taxes. Emphasis is laid on the necessity of giving careful consideration, in any solution, to the varying economic conditions in different countries. Some countries are creditors, and others debtors, owing to the varying stages of their economic development.

The second group of experts consisted of the heads of the Revenue Department in seven European countries (Great Britain, France, Belgium, the Netherlands, Czechoslovakia, Italy and Switzerland), for a practical solution requires an examination of the problem from the point of view both of the administration and the Government. These senior officials held their first meeting at Geneva in June 1922. They considered the report of the four economists; they explained the peculiarities and traditions of their own fiscal systems, and discussed, from a practical and administrative point of view, the possibility of agreeing upon principles which would be acceptable to a large number of countries. It

proved difficult to reconcile divergent economic interests, fiscal interests and legal systems. The delegates of the seven Governments have not yet, however, concluded their work. They have produced a preliminary report, dealing exhaustively with the question of scheduled and actual taxation, and laying down the principle that the assessed income should be divided up in proportion to the amount of business done by the taxpayer in each country. They have also begun an investigation into general income tax and death duties, and this work will be continued in October.

Acting upon the principle of widespread appeal to all competent authorities, the Finance Committee has, in the matter of double taxation as in other matters, kept in close touch with the International Chamber of Commerce, which is also investigating this question. Any judgment on the ultimate result of the work of these various Committees and experts would be premature.

Next year it will be the duty of the Finance Committee, which will be in possession of all the necessary documentation by May, to recommend how the suggestions made by the experts should be put into practice—whether by proclamation of general principles sanctioned by the Fifth Assembly, recommendations to be made to the States, conventions concluded between certain groups of States, international conference on double taxation, or international agreements in the form of protocols open to signature.

Your *rapporteur* considers it only fair to state that certain countries have already understood the necessity for remedying taxation abuses where international relations are concerned. For instance, Spain, in a quite recent law, has granted fiscal exemption on condition of reciprocity for profits obtained abroad to branches or representatives of Spanish enterprises. The Netherlands also has expressly provided for the conclusion of treaties on double taxation. Various countries in Central Europe have concluded international conventions which are at present in force. Finally, the importance of the Convention signed at Rome by the Succession States of the Austro-Hungarian Empire has been recognised by the Genoa Conference and the League of Nations.

With regard to fiscal evasion, the Finance Committee has appealed to the same Government experts who have been dealing with double taxation to find remedies for this evil, from which the budgets of all countries are suffering. The Committee has found itself in agreement with the Genoa Conference in thinking that it would be of advantage to combine these two problems, which are so closely connected. At their next meeting the Government experts will devote special attention to it and will consider the possibilities of drawing up an international agreement in this matter.

Besides these general questions, the Finance Committee, as in preceding years, has been instructed by the Council to investigate a certain number of special problems concerning particular countries.

At the end of the year 1922, Greece was confronted with the formidable problem raised by the arrival in her territory of about one million refugees from Asia Minor. The situation presented great financial difficulties. As the Greek Government had not the necessary resources to provide for the establishment of these refugees, and as the relief organisations could not continue to meet very heavy expenses for an indefinite period, an appeal was addressed to the League of Nations suggesting that this distressing financial problem should be solved by international co-operation. From the very beginning of the investigation of this problem, the Committee had been anxious for its solution by an international organisation which should aim, not at collecting large sums as temporary relief for the refugees—as, in all probability, these sums would exceed any loan obtainable on the international markets for an exclusively humanitarian purpose—but should attempt to encourage the refugees to settle permanently in the country; in other words, the Committee sought to promote a genuinely constructive scheme which, amongst other advantages, might result in attracting or retaining the valuable help of the American organisations.

With this in view, a scheme for the establishment of refugees to which the Council had already devoted its attention was considered, and the Committee endeavoured, from a purely financial point of view, to give this scheme the best possible practical shape by co-operating in the drafting of the statutes of an International Settlement Commission. You are aware that the Bank of England has already offered one million pounds sterling to the National Bank of Greece on condition that these funds be paid over to the Commission.

The Finance Committee has again given attention to the *Albanian question*. Last year, that State claimed the benefit of the application of a general Resolution of the Assembly concerning technical advisers, by requesting that a financial adviser be appointed, to be entrusted with the task of giving his opinion upon general questions of an economic and financial nature. The Finance Committee was instructed to seek a man capable of carrying out this delicate task. It submitted the name of M. J. D. Hunger, a Dutchman, to the Council, and this proposal was accepted. The Committee also drafted the clauses of a contract between the financial expert and the Albanian Government. M. Hunger took office in the month of June and, at the last meeting of the Finance Committee in September, he stated his views as to the future development of Albania, advocating, in agreement with the Albanian Government, the constitution of a Bank of Issue. The Finance Committee approved this step, and, at the request of M. Hunger, prepared, in co-operation with him, an organic draft law intended to serve as a basis for the statutes of the future bank.

That is a most interesting enterprise. A young country, having no note issue, is to have its first bank constituted and to see credit, until then practically unknown within its borders, established in the form which is usual in Western Europe.

The problems raised by the financial situation of the *Free City of Danzig* are of quite a different nature. In this case, it is not a question of a newly-formed State; Danzig, on the contrary, has reached a very advanced stage of economic, industrial and commercial development. For two reasons, however, its financial situation is difficult, the first being the heavy charges imposed on it by the Treaty of Versailles; the second, and the more important, perhaps, is the collapse of the German mark, the only legal currency at present in circulation in the territory of the Free City.

In the first place, the Danzig Senate asked the Finance Committee to assist it in issuing a loan of 500,000 gold marks, to be used by it as working capital, for the Treasury was continually in difficulties owing to the depreciation of the mark. The Finance Committee asked the Council to approach the Conference of Ambassadors and the Reparation Commission with a view to persuading these bodies—which were creditors of Danzig—not to oppose the issue of the loan. As a result of the steps taken by the Council, the Conference of Ambassadors and the Reparation Commission both made statements which met the desires of the Finance Committee. In addition, the Free City of Danzig was granted a moratorium for one year.

But the monetary situation of Danzig has been growing more and more critical with the collapse of the German mark. In 1922, the Committee had already recommended the Senate to adopt some monetary unit other than the German mark. In July 1923, the Senate at last recognised the wisdom of this advice, and submitted for consideration of the Finance Committee a plan of reform based on the adoption of a new currency, which should have a definite relation to the pound sterling. The Committee discussed the question at length. It did not lose sight of the close legal and business relations existing between the Free City of Danzig and Poland. Under its auspices, negotiations of a semi-official character took place between the representatives of Danzig and of Poland. The Committee gave them its views upon the essential points of a monetary reform at the same time as it communicated them to the Council, and I am glad to inform you that these negotiations resulted in the signature of an agreement.

We sincerely hope that this agreement will lead to the establishment in the Free City of Danzig, and, later, in Poland itself, of a stable currency, one of the primary conditions for the development of a country.

The statement which I have just made, together with those of M. Ador and M. van Eysinga, will, with the help of the documents which have been distributed to you, give you a comprehensive view of the activity of the Finance Committee during last year.

The President of the Council has, however, reminded us, in opening the Fourth Assembly, that the greatest of all problems within the economic and financial sphere has been outside the competence of the League, and has remained unsolved. He added that, while this great unsettled dispute weighs upon the economic life of Europe, the work of the League in every sphere of its activity must necessarily be limited. This is a statement of which the truth is specially appreciated by the Financial Committee. The application of the principles of the Brussels Conference finds in almost every case its greatest difficulty, sometimes an insuperable one, in the continued uncertainty as to reparation payments. While this uncertainty remains, the work of the Financial Committee must necessarily be both restricted and impeded. As soon as it is removed, this work will increase in range and in the fruitfulness of its results.

Meanwhile, the work done and in progress, even under the handicap of this great obstacle, for Albania, for Greece, for Danzig, and, above all, for Austria, at least gives some indication of what may be expected when this handicap is removed.

The League of Nations has now at its disposal a body of experts composed of the most competent men in the whole world. These men have examined a wide range of problems, the study of which, added to the knowledge of financial problems that they had acquired in their own countries, has given to their experience an international character that is of great service to them in the performance of their duties. Moreover, these men of different nationalities have been working together for some years, have learnt to know each other, and have formed relations that are highly useful in the delicate negotiations with which they are sometimes entrusted.

The future has doubtless heavy tasks in store for the Committee.

The recommendation of which this Report attempts to give a brief explanation will be found in Nos. 1 and 2 of the Resolutions which are being proposed to the Assembly to-day by the Second Committee.

(B)—REPORT ON THE WORK OF THE ECONOMIC COMMITTEE.

(Rapporteur: Jonkheer van Eysinga.)

Since the meeting of the Third Assembly, the Economic Committee has been engaged in investigating a certain number of practical problems which are of special interest from the point of view of economic life. In certain cases these investigations have already resulted in preparatory measures designed to lead to definite solutions, which we hope will be adopted and approved by the 1924 Assembly. As regards a matter which is closely connected with international economic life, namely, the treatment of foreign nationals and undertakings, the Council of the League of Nations approved as early as last July a recommendation which was proposed by the Economic Committee, and which has been communicated to the Members of the League.

I propose to deal in detail with each of these problems, whether they are still being investigated, whether they are approaching solution or whether a solution has already been arrived at.

But before entering upon the consideration of these matters, I should like to draw your attention to a wider investigation undertaken by the Economic Committee. You will remember that last year, His Excellency M. Loefgren, the Swedish Delegate, reminded the Second Committee of the resolution which the General Conference on Labour adopted in 1921 with regard to the national and international aspects of the great problem of *unemployment*. The Resolution No. VI, which the 1922 Assembly adopted in this connection resulted in an exchange of views between the Economic Committee and the International Labour Office. The conviction was felt on both sides that unemployment could only be attributed to the present economic crisis. In these circumstances the Economic Committee considered it advisable to undertake an *investigation into the main causes of this crisis*. I feel that we can but congratulate the Economic Committee on this decision, since it would seem to answer to a need to which the pressing anxiety engendered by the present state of the world has given rise. I cannot refrain from expressing the hope that the investigation undertaken by the Economic Committee into the various aspects of the present crisis will prove fruitful, not only as regards the problem of unemployment, but also as regards international economic life in general (Draft Resolution No. 9).

Turning to the various questions which were already on the agenda last year, I notice that the problems of "*lumping*" and *differential prices* are still under consideration.

With regard to the problems connected with that important question, the equitable treatment of commerce, I would observe that an *International Conference on Customs Formalities* is to take place in a few weeks' time at Geneva. This Conference will consider the problem of the exercise of unfair discrimination against foreign goods and certain questions relating to certificates of origin, and in a general way will endeavour to simplify all regulations connected with Customs control, without touching upon problems connected with the Customs or commercial policy of the various States. In regard to this Conference, the Fifth International American Conference, at its session held last spring at Santiago, expressed the unanimous recommendation that the greatest possible number of States should send representatives, and the Second Committee has warmly concurred in this decision (Draft Resolution No. 4).

I have already observed that, as regards the *treatment of foreign nationals and undertakings*, the Council has adopted a recommendation which might perhaps eventually lead to the conventional regulation of this important question, which up to now has been dealt with mainly in commercial treaties (Draft Resolution No. 5).

With regard to the question of *unfair competition*, a meeting of experts will be held next spring, with a view to drawing up a draft convention for ensuring the suppression of certain forms of unfair competition which the provisions of the Conventions at present in force for the protection of industrial property do not make it possible to deal with. In this connection, I would like to remind you that the Venezuelan Delegate to the Third Assembly, His Excellency M. Zumeta, called the attention of members to the harm done to honest trade by the manufacturing and selling of products in a manner which, although not in contravention of the regulations governing trade marks and patents, is nevertheless in the nature of fraud and misleads persons as to the real character of the products. While recognising the importance of this form of unfair competition, both the Economic Committee and the Council were of opinion that its repression falls more within the sphere of national law. The Committee proposes Resolution No. 6 on this point.

For a long time past, commercial circles, and, in particular, the International Chamber of Commerce have been impatiently waiting for those States whose legislation or jurisprudence still opposes the recognition of *arbitration clauses inserted in commercial contracts* to adopt the measures necessary for ensuring the recognition in their countries of the validity of agreements to submit present or future differences to arbitration. The efforts of the Economic Committee in this direction were supported by the Genoa Conference in 1922 and by Resolution V. of the Third Assembly, and on 18th April last the Council decided to submit to the present Assembly a draft protocol regarding arbitration clauses, with the text of which you are acquainted. This text, prepared by the Economic Committee with the collaboration of a Committee of Jurists, has been subjected to slight changes by the Second Committee which have, however, left the form of the draft intact, such as it was submitted to us by the Council. (See Annex).

With your permission, I will make a few observations on this project. As I have already said, the important, and, indeed, the only aim of the project is to make it impossible in future for the legislation and jurisprudence of the Contracting States to stand in the way of the efficacy of arbitration agreements especially in commercial matters and between parties living in different Contracting States, even when the arbitration takes place in a country other than those to whose jurisdiction the parties to the contract are subject (Article 1). In consequence, the Contracting States must ensure the execution by their authorities and in accordance with the provisions of their national laws of arbitral awards made in their own territory (Article 3). A further consequence is that the tribunals of the Contracting States, on being seized of a dispute regarding a contract including an arbitration agreement, whether referring to present or future differences, which is valid in virtue of Article 1 and capable of being carried into effect, should refer the parties, on application of either of them, to the decisions of the arbitrators (Article 4). Para. 2 of Article 4 deals with cases in which the law of a Contracting State would permit its tribunals, after referring the difference to arbitration, to resume control of the matter, in case the agreement or the arbitration cannot proceed or become inoperative. Article 2 deals with arbitral procedure, including the constitution of the arbitral tribunal; this procedure is governed by the will of the parties and the law of the country in whose territory the arbitration takes place, it being understood that the will of the parties should not be derogatory to the imperative provisions of the law of the country. Articles 5 to 8 contain protocol conditions.

It follows from the above that all questions of private international law, including those which concern the enforcement of arbitral awards in a contracting country other than that in which the award was made, remain unaffected, and that nothing in the present state of affairs has been changed. The project is not intended to resolve these questions, which are of great interest in themselves, and which might be the subject of future agreements.

The Second Committee proposes that you should adopt Draft Resolution No. 3 on this important subject.

An investigation which was carried out by four specially well-qualified experts, M. Josephus Jitta (Netherlands), Sir Mackenzie D. Chalmers, K.C.B. (Great Britain), M. Franz Klein (Austria), and M. Lyon-Caen (France), led the Economic Committee to feel that the work undertaken at The Hague with a view to the unification of the law of *bills of exchange* and *promissory notes* should be continued as soon as conditions might make it possible, in spite of the great or small divergencies which still exist in this connection in national legal systems (Draft Resolution No. 7).

The study of the *unification of economic statistical methods* is being carried on by the provisional Committee on Statistical Methodology, which includes among its members representatives of the Economic Committee, the International Labour Office and the International Statistical Institute. The resolutions finally adopted by this provisional Committee will first be examined by the International Statistical Institute at its next session at Brussels and then referred to the Economic Committee, which, before reporting to the Council, will examine them, in consultation with the principal organisations concerned—in particular, the International Agricultural Institute at Rome, the International Chamber of Commerce and the Institut International du Commerce at Brussels (Draft Resolution No. 7).

I cannot conclude, Gentlemen, without drawing your attention to the usefulness of the *documents published by the Secretariat of the League*, in pursuance of the resolutions of the Second Assembly, for the purpose of giving information as to how far the various Governments have been able to give effect to the Resolutions of the Brussels Conference. The four volumes which have been published provide complete documentary information as to the economic situation and the economic policy of the different countries. I should like, at the same time, to refer to the various other publications of an economic character which have been prepared by the Economic and Financial Organisation; these publications are of great value and are designed to keep the public informed of the changes in the economic situation of the world (Draft Resolution No. 10).

The Japanese Delegate, His Excellency Baron Adatci, has submitted to the Committee the following remarks on a certain number of questions:—

I.—The Japanese Delegation greatly appreciates the splendid work accomplished by the Economic and Financial Commission, and has considered with much pleasure the programme drawn up by the Commission with regard to equitable treatment of foreigners and foreign undertakings in

commercial matters. It is well aware that the Commission in no way neglects the very important problem of foreign co-operation in the development of a country's natural riches. In its report to the Assembly last year, this question was not considered ripe for a decision. We are, however, confronted with a vital problem which is of great importance in the development and perfecting of international commerce. That is why we venture to suggest that the newly constituted Commission, as recently strengthened, should seriously consider this important problem, which is one of the practicable applications of the fundamental principle of equitable commercial treatment as laid down in Article 23 of the Covenant.

II.—In its recommendations, the Commission has up to the present confined itself principally to the investigation of the treatment of foreigners and of foreign undertakings, from the point of view of taxes and dues. In the opinion of the Japanese Delegation, it is likewise essential that the general commercial and industrial facilities to be granted to foreigners by the various Members of the League should be taken into consideration, and that the point as to whether foreigners should enjoy the same treatment as nationals should be discussed.

III.—In the present recommendations mention is made of "States Members of the League." This specification "States" occasionally unjustly limits the scope of stipulations which might give rise, in certain cases, to very delicate problems, hence the Japanese Delegation ventures to suggest the deletion of the word "State," leaving only the term "Member."

IV.—Following the custom now existing in certain regions, coast navigation sometimes includes navigation between a country and its distant possessions, divided by the high seas—a high road common to all humanity. This appears to the Japanese Delegation to be little in harmony with the general spirit of equitable treatment of international commerce. The Delegation expresses the hope that the Commission will continue to consider this question, by getting into touch with the Advisory and Technical Committee for Communications and Transport for the purpose, and by basing its work in this connection on the investigations which have been carried out up to the present.

V.—The Japanese Delegation would have been happy to see these questions dealt with in the report of the Second Committee of the Assembly; owing to lack of time, however, the delegation confines itself to expressing the firm hope that the Economic and Financial Commission, lately strengthened by the Council, will, when convenient, consider in due course the question cited above together with the many other questions which will claim its attention.

With regard to this interesting communication, the Second Committee proposes for your adoption Resolution No. 8.

The Second Committee unanimously congratulated the different bodies of the Economic and Financial Organisation, so ably presided over by MM. Ador, Brunet and Janssen, as well as the Secretariat of the Organisation, supervised with such great competence by Sir Arthur Salter.

Hence the Committee has noted with great satisfaction the decision of the Council to prolong until further notice the term of office of the Economic and Financial Commission.

On this subject, the Committee submits Resolution No. 11 for the approval of the Assembly.

ANNEX.

Protocol on Arbitration Clauses.

The undersigned, being duly authorised, declare that they accept, on behalf of the countries which they represent, the following provisions:—

1. Each of the Contracting States recognises the validity of an agreement whether relating to existing or future differences between parties subject respectively to the jurisdiction of different Contracting States by which the parties to a contract agree to submit to arbitration all or any differences that may arise in connection with such contract relating to commercial matters or to any other matter capable of settlement by arbitration, whether or not the arbitration is to take place in a country to whose jurisdiction none of the parties is subject.

Each Contracting State reserves the right to limit the obligation mentioned above to contracts which are considered as commercial under its national law. Any Contracting State which avails itself of this right will notify the Secretary-General of the League of Nations, in order that the other Contracting States may be so informed.

2. The arbitral procedure, including the constitution of the Arbitral Tribunal, shall be governed by the will of the parties and by the law of the country in whose territory the arbitration takes place.

The Contracting States agree to facilitate all steps in the procedure which require to be taken in their own territories, in accordance with the provisions of their law governing arbitral procedure applicable to existing differences.

3. Each Contracting State undertakes to ensure the execution by its authorities and in accordance with the provisions of its national laws of arbitral awards made in its own territory under the preceding articles.

4. The Tribunals of the Contracting Parties, on being seized of a dispute regarding a contract made between persons to whom Article 1 applies and including an Arbitration Agreement whether referring to present or future differences which is valid in virtue of the said article and capable of being carried into effect, shall refer the Parties, on the application of either of them, to the decision of the Arbitrators.

Such reference shall not prejudice the competence of the judicial tribunals in case the agreement or the arbitration cannot proceed or becomes inoperative.

5. The present Protocol, which shall remain open for signature by all States, shall be ratified. The ratifications shall be deposited as soon as possible with the Secretary-General of the League of Nations, who shall notify such deposit to all the Signatory States.

6. The present Protocol will come into force as soon as two ratifications have been deposited. Thereafter it will take effect, in the case of each Contracting State, one month after the notification by the Secretary-General of the deposit of its ratification.

7. The present Protocol may be denounced by any Contracting State on giving one year's notice. Denunciation shall be effected by a notification addressed to the Secretary-General of the League, who will immediately transmit copies of such notification to all the other Signatory States and inform them of the date on which it was received. The denunciation shall take effect one year after the date on which it was notified to the Secretary-General, and shall operate only in respect of the notifying State.

8. The Contracting States may declare that their acceptance of the present Protocol does not include any or all of the under-mentioned territories: that is to say, their colonies, overseas possessions or territories, protectorates or the territories over which they exercise a mandate.

The said States may subsequently adhere separately on behalf of any territory thus excluded. The Secretary-General of the League of Nations shall be informed as soon as possible of such adhesions. He shall notify such adhesions to all Signatory States. They will take effect one month after the notification by the Secretary-General to all Signatory States.

The Contracting States may also denounce the Protocol separately on behalf of any of the territories referred to above. Article 7 applies to such denunciation.

A certified copy of the present Protocol will be transmitted by the Secretary-General to all the Contracting States.

Done at Geneva on the _____, in a single copy, of which the French and English texts are both authentic, and which will be kept in the archives of the Secretariat of the League.

ANNEX IV.—*Report of M. Gustave Ador to the Second Committee on 7th September regarding the Financial Reconstruction of Austria.*

I thank you for the honour which you have done me as Chairman of the Economic and Financial Commission in asking me to submit to your Committee a report on the League's work in Austria, which has been executed to a large extent through the technical organisations of the League.

The President of the Council in opening the present Assembly, referred to the work of reconstruction in Austria as undoubtedly the most notable single achievement of the League during the last year. He emphasised the gravity of the situation in September of last year. "Austria," he said, "could neither feed her people with bread nor her industries with raw material without large purchases from abroad; and for these purchases she had no financial resources. She had lived for three years largely on external loans, and no further loans could be obtained; the foreign seller could no longer be expected to accept her demoralised currency in payment for his goods; a swollen budget and defective yield of taxation made any attempt at stabilisation seem hopeless. There was an apparently certain prospect of starvation, of internal trouble and disorder; and the less certain but ominous menace of foreign complications." He contrasted the present position. The Austrian crown, which had been the least stable currency outside Russia, has during the whole twelve months been one of the most stable in Europe. On this firm basis, the economic life of Austria has developed and shown a recuperative power which has exceeded the hopes of the most optimistic. He added, "The first piece of reconstructive work achieved since the war by international co-operation is indeed an important event in history. The world will not fail to note that piecemeal assistance by other countries in the three years after the war involved a public expenditure by them of over 25 millions sterling, and that, though Austria was kept alive by these means for three years, her finances were in disorder at the end of them; while the present work of reconstruction now offers a reasonable prospect of achieving, without cost to the countries which assisted her, not the temporary relief but the permanent re-establishment of the country."

While associating myself with what Viscount Ishii said as to the results and success of the work, I would remind the Committee that a detailed account of the progress in every stage is given in the Commissioner-General's Monthly Reports, and is fully summarised on pages 49-59 of the Council's Report to the Assembly (Document A. 10, 1923).

But there is one aspect of the work which I should like to emphasise in speaking to this Committee, which is concerned with the actual working of the technical organisations of the League. The Austrian work is the best and most complete example of the working of the whole mechanism of the League as an interdependent whole. The Assembly itself, the Council, the special sub-Committee of the Council (the Austrian Committee), the eight Governments which assisted Austria through the League, the Committee of Control appointed by these Governments, the Financial Committee, the Economic Committee, the various sections of the Secretariat, the Austrian Government, and the Loan Committee appointed by it, and last, but not least, the Commissioner-General appointed by the League, have all had their definite rôle and all have worked together in the closest co-operation as a single great organisation.

It is necessary to recall in outline the method of work adopted and the allocation of duties among these different bodies.

It was fortunate that the time at which the question came to the League was just before the meeting of the Assembly, when the Council and the Financial and Economic Committees were also to be in session. The Assembly provided a helpful atmosphere of world interest for the negotiations to be conducted in; the Council was the appropriate body for the conduct of these negotiations and for obtaining the pledges of action required from the Governments who accepted the chief responsibility; and the Financial and Economic Committees afforded the requisite expert advice. Fortunately, too, the League had already studied the Austrian situation the previous year, before it had the authority to act, through a delegation of the Financial Committee in Vienna, and the main facts and elements of the situation were clearly known.

The problem was, as all who remember the circumstances will recognise, a complex one, political as well as financial and economic in character.

The first step was, in accordance with Article 4 of the Covenant, to invite Austria herself (represented by her Chancellor, Mgr. Seipel) and Czechoslovakia (represented by her Prime Minister, Dr. Benes) to join the Council as being countries specially interested in the question. A sub-Committee (the Austrian Committee) was then appointed, consisting of these members, with the representatives of the British Empire (Lord Balfour), France (M. Hanotaux), and Italy (the Marquis Imperiali).

The immediate effect was that the hitherto separate and independent negotiations which had been conducted by Mgr. Seipel on behalf of Austria at Prague, at Rome, and elsewhere were now transferred to a single Committee which worked continuously and included representatives of all the Powers chiefly concerned, including the Prime Ministers of two of them.

The composition of this Committee, and the subsequent organisation of the work, afford a typical example of the methods of the League. The Committee used throughout the League's technical organisation. At once determining the general outlines of the questions requiring solution, it divided them

among the various expert committees at its disposal. Within this general outline, the Financial Committee gave its advice, which included a comprehensive scheme of financial assistance and administrative reform. Working within the same general programme, the Economic Committee considered what immediate economic measures could usefully be recommended. At the same time, a legal committee, drawn partly from legal experts of the several delegations and partly from the League's permanent staff, advised on such legal questions as presented themselves in the course of the work. The Austrian Committee kept in its own hands the specifically political aspects of the problem, and maintained its control over the work of the above committees by considering interim reports as they proceeded with their studies.

In the course of about four weeks, a comprehensive scheme, dealing with both the political and financial aspects of the problem, was framed and—what was more important and difficult—the responsibility of the Governments whose action was required was definitely engaged and embodied in Protocols. The nature of this scheme will doubtless be known to most members of the Committee, but perhaps I may rapidly summarise it. Its basis is the political integrity and economic independence of Austria, assured in a declaration (Protocol I). Aided by the confidence it was hoped this declaration would give, Austria was to commence a programme of reform (including economy in expenditure and increased revenue from taxation) which would ensure the balancing of her budget by the end of 1924. In the meantime, the excess of her expenditure over the revenue available from normal resources during the two intervening years—estimated at 650 million gold crowns—was to be met by the proceeds of the loans. These loans were to be guaranteed by external Governments, in addition to being secured on assets which, if the reforms were successful, would be sufficient without application to the guarantors. The guarantees took the form of a definite guarantee of a stated proportion of the interest and amortisation by each guaranteeing Power.

Relieved by these loans from the necessity of financing herself by the issue of paper money, which had rendered all efforts at budget equilibrium futile and destroyed any stable basis for the economic life of the country, Austria was to transfer her monopoly of note issue to an independent bank of issue, to be established under certain definite and specified conditions.

It was recognised at the same time that the successful accomplishment of the reform programme, on which both Austria's prosperity and the value of her assets depended, would be a painful and difficult task. The scheme, therefore, included the appointment of a Commissioner-General, whose duty would be to ensure, in collaboration with the Austrian Government, that the programme of reforms was carried out and to supervise its execution. He was to derive power from his control of the disposal of the loans. The Austrian Government agreed that it would not dispose of any funds derived from the loans except by the authorisation of the Commissioner-General, but the conditions which he might attach to his authorisation were to have "no other object than that of assuring the progressive realisation of the programme of reforms and of avoiding any deterioration on the assets assigned for the service of the loan." That is, the control of external countries exercised through the Commissioner-General was specifically limited to the precise purposes required by the scheme and the sovereign independence of Austria was carefully safeguarded.

In addition to the Commissioner-General, there was to be a Committee of Control of the guaranteeing Governments, to watch the specific interests of the guaranteeing Powers.

During the last year, as Viscount Ishii has reminded us, this intricate and complex task has proceeded with a success as complete as could be hoped for. This necessarily elaborate machinery has been put into operation and has worked with complete success and efficiency. As soon as the Protocols were signed at the beginning of October last, a delegation consisting of members of the Financial Committee proceeded to Vienna, and collaborated with the Austrian Government in drawing up a detailed programme of administrative reform and increased revenue. When the Commissioner-General arrived in Vienna in the middle of December, he had already the benefit of a scheme of reform firmly established in its main outline. Since that date the work has fallen into two great divisions—the detailed execution of the programme of the reform measures in Vienna and the establishment there of the Bank of Issue; and, on the other hand, the raising of external loans in 10 of the principal markets of the world. The Committee will realise the extreme complexity, as well as the great success, of the work accomplished by Mgr. Seipel and Dr. Zimmerman in Vienna. I hope that during this meeting the Committee will have the opportunity of hearing Dr. Zimmerman himself give his own account of that work. I would therefore just remind the Committee of the work that had simultaneously to be carried through outside Vienna.

The external loans were raised in two series of operations. In the first place, short-term loans, amounting in total to 3½ million pounds sterling, were raised in Great Britain, France, Belgium, the Netherlands, Switzerland and Sweden in the early spring of this year. Later, in the summer, the main long-term loan out of which the first short-term loan was repayable, has been raised in Great Britain, the United States of America, France, Italy, the Netherlands, Sweden, Belgium, Switzerland and a part in Austria. This loan was guaranteed by Great Britain, France, Italy, Czechoslovakia, Belgium, the Netherlands, Sweden and Denmark.

In order that the Committee may realise the complexity and magnitude of this task, I need only refer to some of its main features. It was necessary to secure guaranteeing laws from eight different countries with all their differences of constitutional, parliamentary and administrative traditions; to obtain the deposit of collateral security from these countries; to obtain the assent of all of them to all the necessarily intricate details of the loan conditions in a form satisfactory to the lenders to carry on negotiations in 10 different financial markets—London, New York, Paris, Rome, Brussels, Prague, Amsterdam, Stockholm, Vienna and in Switzerland; to arrange for the service of the loan in all these countries, and the safeguarding of the interests of the bondholders through trustees. The work has been successfully accomplished both in Vienna and outside. It is a work of such importance in itself and so fruitful in lessons as to what may be the future development of one part of the League's work, that I venture, in conclusion, to draw attention to some of what seem to me its most important features.

In the first place, I desire to emphasise the fact that, as Viscount Ishii pointed out, piecemeal assistance by different countries without collaboration and without control had involved an expenditure of 25 millions sterling and did not secure the main result of establishing Austria.

If, as there is now every prospect, Austria is permanently re-established and without cost to the countries assisting her, the difference is due to real international collaboration in a comprehensive and technically efficient scheme of reform, to the use of the League's intricate but elastic machinery, and to the establishment of real control concentrated in a single officer responsible to the League.

In the second place, I would call attention to the extreme inexpensiveness of the work so accomplished. The total cost to the League, including the long and continuous work of some of the first experts in the world, has been up to date some 7,000*l.*, even if we include an allowance for the proportionate salaries of permanent officers of the Secretariat. This result has been made possible chiefly owing to the disinterestedness of the distinguished members of the Committees of the League, who include some of the leading bankers and financial experts of the world and who were prepared to give their services voluntarily. The members of the Financial Committee, for example, either collectively or in rotation, worked continuously on the Austrian scheme in Geneva and in Vienna from 29th August to 15th December of last year, and the expense to the League consisted of nothing but travelling and subsistence allowances. It would be difficult to find an example of so great a result at so little cost.

Thirdly, one of the most remarkable results of the experiment has been to show the extraordinary recuperative effect of re-established confidence. The Austrian crown was falling precipitously in August of last year. The mere publication of the scheme arrested its fall, and although Austria secured no money from the external world till February of this year, the crown remained stable, not from February of this year, but from September last, that is to say, from the time when Austria had a scheme in which she herself believed. Not only was the crown kept stable, but the demand for it exceeded the supply. Austrians themselves who, in the earlier period, had broken every effort to stabilise by buying any foreign exchange available and hoarding it or investing it abroad, now brought their foreign exchange and asked for crowns in return.

In the fourth place, the economic life of Austria, even within her present frontiers, shows a greater recuperative power than even the most optimistic thought was possible. She has had, it is true, to go through a period of unemployment which is not yet ended, as every country in the world has done which has stabilised its currency after a period of depreciation. But it is indeed remarkable that the percentage of her unemployed was never as high at the worst as in Great Britain, Czechoslovakia, or in Switzerland, and that it apparently reached and passed its summit some months ago and has now for several months been rapidly declining.

Confining myself to these general remarks, and not wishing to take up more of your time, I now propose to open a general discussion on the work outside Vienna, and then to ask Dr. Zimmerman, whom I am very glad to see with us to-day, to give an account of the work in Vienna. Finally, I feel certain that the Committee will desire to note with satisfaction the work accomplished in the financial and economic reconstruction of Austria, to extend its warm congratulations and thanks to all those who have collaborated in it, and to express to the Secretariat of the League of Nations and to its technical organisations how deeply it appreciates their invaluable assistance.

ANNEX V.—*Report of the Second Committee on the work of the Organisation for Communications and Transit.* (Rapporteur, Hon. George P. Graham.)

The members of the Assembly will have noted the two reports submitted by the Advisory and Technical Committee for Communications and Transit concerning the work of the Communications and Transit Organisation since the last Assembly.

The first of these reports summarises the work accomplished up to July last; the second deals with the questions dealt with by the Committee at its last session, which ended immediately before the opening of the Assembly.

As is explained in the first report, the main task of the Communications and Transit Section during the first half of the year consisted in making arrangements for the next General Conference on Communications and Transit, which, according to the resolution adopted last year by the Assembly, was to meet in the autumn. The date of 15th November has been fixed by the Council. The programme of the Conference would appear to have been most carefully prepared by the Advisory and Technical Committee. The texts of the Convention to be considered by the Conference have been carefully examined by experts. There is every reason to hope that the Conference will thus be able, on the basis of this preliminary work, to conclude the General Convention on the International Regime of Railways and the General Convention on the International Regime of Maritime Ports. These Conventions are provided for in the Treaties of Peace, and the Genoa Conference at a later date made a fresh request that they be drawn up as soon as possible. There is also included in the programme of the Conference two proposals dealing with a subject which, in certain respects, breaks fresh ground and is therefore particularly interesting—international problems connected with the utilisation of electric power.

The Assembly is not required to examine these texts—that will be the duty of the Conference which is to meet; but the Assembly may forthwith express its approval of the considerable work accomplished by the members of the Advisory and Technical Committee, assisted by the highly qualified experts whom they have called in.

The drawing-up of the General Convention on the International Regime of Railways has necessitated much extremely careful consideration and revision. Under the auspices of the League of Nations, an attempt has been made to meet not merely the conditions and traditions of certain countries of one continent, but of all countries in the world. For instance, many divergencies apparently exist between the way in which railway questions are habitually regarded in Great Britain and the manner in which they are regarded in Continental Europe, and there are differences of outlook between America and Europe. It has, however, been possible to prepare a single text, which it is hoped will enable all countries to collaborate successfully.

The other proposals will also, in their own sphere of action, prove of assistance in carrying out one of the tasks of the League of Nations, namely, diminishing the causes of international disputes by laying down beforehand between the States certain fixed and just principles, the only considerations taken into account being those connected with the technical problems themselves.

Thus the object of the Draft Convention on the International Regime of Maritime Ports is to establish, with certain reservations, equality of treatment for vessels of all nationalities in these ports; and the proposals connected with electric power will tend to diminish as much as possible the influence of political frontiers on the solution of the problem of utilising electric power, while the sovereignty of States will be fully protected.

The success of the Barcelona Conference, which success is now an established fact, entitles us to hope that this Second General Conference of the Communications and Transit Organisation will also be a success. The ratifications of the Conventions concluded at Barcelona and adherences to these Conventions are being received rather slowly, but the progress is nevertheless continuous, especially as regards the General Convention on the Freedom of Transit, which all States represented at the Genoa Conference declared their intention to ratify.

Regarding the Barcelona Convention on the International Regime of Navigable Waterways, the negotiations referred to in the Resolution of the last Assembly are continuing, and meanwhile the Navigation Acts which are being drawn up in connection with the principal European rivers of international concern are in conformity with the Convention.

The Barcelona statute concerning ports placed under an International Regime, the scope of which was more limited, has been referred to and made use of in the last Treaty of Peace which has been concluded.

There is reason to hope that, when the next Conference meets, almost all countries of the world will be represented, and in this connection the Assembly cannot feel otherwise than satisfied that the Council should have decided to invite all recognised States which may be admitted to participate in the work of the Conference in virtue of Article 2 of the regulation adopted at Barcelona for the organisation of general conferences.

Finally, in conformity with the resolutions adopted by the last Assembly, invitations and the results of the preparatory work connected with the Conference were sent to all States five months before the meeting of the Conference.

The other activities of the Committee since the last Assembly have also been clearly set forth in the reports which it has submitted.

The first application of the technical procedure of conciliation for the settlement of disputes has not with complete success, and difficulties which had existed for about two years between the German railways and the Saar railways were rapidly settled by mutual agreement. This result cannot fail to encourage the extension of the technical procedure for conciliation, which was laid down for the first time in the Resolutions of the First Assembly dealing with the carrying out of the Treaties of Peace, and later in an article of the Barcelona Conventions for the application of those Conventions, in the Navigation Acts in process of being drawn up in regard to the different rivers placed under the jurisdiction of international commissions by the Treaties of Peace, and in the recent Convention on the Hydraulic Regime of the Middle Danube. This provides a further instance of the friendly settlement of technical difficulties by direct contact between specialists before these difficulties grow into political disputes, which is the fundamental principle of the Technical Organisations of the League.

The large amount of new work undertaken by the Advisory and Technical Committee, some of which had already been foreshadowed at the time of the last Assembly, and all of which is of practical interest, gives some idea of the activities of the Organisation, which remain, however, within the strict limits of the programme assigned to it by the Covenant and by the Resolutions of the Assembly. In all branches of transport the Committee endeavours to secure improvements of a practical nature by means of agreements between the Governments concerned. The Governments have never failed to respond to its appeals, and in the case of a question which affected a problem of a wider bearing with regard to which the Committee had to deal with high religious authorities, the latter, who had hitherto never co-operated directly with the League, did not hesitate to lend their assistance.

A technical discussion of the results obtained and of the work undertaken by the Communications and Transit Organisation would, no doubt, be out of place in the Assembly; but the Assembly will perhaps desire to draw special attention to the importance of the enquiry made in regard to the application of the Resolutions of the Genoa Conference in Europe and to the conclusions, interesting not only from a technical point of view but also from the standpoint of general economics, which the Committee adopted after investigating the problem of restoring communications in Europe. The conclusions reached on this subject by the Advisory and Technical Committee are of sufficient interest for the Assembly itself to draw the special attention of the Governments to them in its own Resolutions.

In general, the Assembly cannot fail to note with satisfaction the efforts of the Organisation, the development of its work, and the procedure which it has adopted. This procedure, which has not changed since the creation of the Organisation, now appears to be definitely fixed, and it may be useful to describe it at a moment when the Advisory and Technical Committee will so shortly come before the Second General Conference of the Organisation for renewal. This procedure, which has enabled the Organisation to conduct its work in a prudent and unobtrusive manner, may be described as follows:

The Committee regularly holds two plenary sessions, one at the beginning of the spring and the other immediately before the Assembly. In the interval the work on specific problems is prepared by special sub-Committees consisting of members specialising in certain classes of questions and assisted by experts appointed by the Committee. The work is therefore directly carried out by specialists, who remain in touch with the general conditions of their respective countries during the intervals between the Committees. The permanent nucleus consists of a secretariat of very limited dimensions. This method is undoubtedly the most flexible and the least bureaucratic. Lastly, when necessary, the Committee gets into touch with all other international bodies with a view to avoiding duplication, whether these bodies are other organisations of the League, such as the Health Committee and the Opium Committee, in co-operation with which the Transit Organisation has worked during the past year, or whether they are outside the League, like the River Commissions, the International Union of Railways, the International Commission for Air Navigation, &c.

Reference has been made to work carried out in conjunction with other technical organisations of the League, such as, for instance, the Health Committee. It is desirable to point out that, as the world advances, the definition of transportation must be enlarged; briefly stated, it formerly could be interpreted as the method of carrying people and products from one point to another point with fair speed and at a reasonable rate; to this should now be added the words "and in a sanitary condition."

Live stock organisations and those engaged in the trade of animals are most insistent that the vehicles of transport should be regularly disinfected and kept clean. Considerable advance has been made in the sanitation of passenger cars, but there is room yet for vast improvement. It is not a stretch of the imagination to presume that diseases are in no small degree spread by the insanitary condition which exists in portions of passenger cars. This question may properly belong to another department, but it is not out of place when dealing with transit in this Assembly to call attention to the fact that the

comfort, safety and convenience of passengers could be improved if greater care were exercised in keeping these vehicles clean and sanitary.

The organisation has not lost sight of the growing importance of transport by air. In addition to maintaining a constant liaison with the various international organisations and conferences dealing with aerial navigation, it has envisaged such questions as the unification of air law of private and commercial law relating to aerial navigation, as well as the simplification of Customs formalities for passenger traffic by air.

The next General Conference will give birth to a new Advisory and Technical Committee for Communications and Transit.

It is, therefore, the last time that the work of the present Committee will come before the Assembly. This Committee has had the difficult task of taking the initiative and of indicating the lines to be followed. The Assembly will, no doubt, wish to mark its appreciation of its contribution to the general work of the League.

ANNEX VI.—*Report of the Second Committee on the work of the Health Organisation of the League, including the work of the Epidemic Commission.*
(Rapporteur: M. Adatci.)

On behalf of the Second Committee, I have the honour to submit to the Assembly the following report on the work of the Health Organisation during the past year, together with the draft reorganisation proposed by the Mixed Committee of the Health Committee and the "Office international d'hygiène publique."

I.—Of the activities of the Health Organisation, the Third Assembly took particular note (para. (g), first resolution) of the steps taken by the Health Organisation with regard to an interchange of the sanitary personnel of various countries, and expressed the wish to see this system made applicable to as large a number of countries as possible.

The Second Committee does not desire to dwell on the general interest of the idea of an interchange of sanitary personnel. In the Committee's opinion, it is an idea full of promise. It tends not only to propagate in the different countries the knowledge and use of the best methods of public health and disease-prevention, but also to give the personnel of health services the feeling that all are taking part, each in his own country, in a common work, the object of which is to improve the lot of humanity as a whole, and, finally, to establish direct personal relations between the sanitary administrations of the various countries. I wish in a few words to call your attention to the development of the interchange of personnel system in the course of the present year, and to point out how it has evolved in the light of the experience which has gradually been gained.

Three interchanges of medical officers of health, known as collective interchanges, were organised. The first, which lasted two months, from October to December 1922, was organised in Belgium and Italy. Twenty-three medical officers, representing nine different countries, took part in it. The second was organised in England and lasted seven weeks, followed by five weeks' study in Austria. Some 30 medical officers, belonging to 17 different countries, took part in this second experiment, which, like the first, ended at Geneva with a final Conference. The medical officers exchanged views on the results of their studies, and submitted extremely interesting reports, comparing the working of sanitary services in the countries visited with their own.

The essential part of the interchange consisted in a period of service of several weeks with the local sanitary administrations of the countries visited, the visitors being distributed in groups. In this manner they were able to live the life of their colleagues and to observe their daily round of duty.

The experience of these first two attempts showed that it would be well at first to confine the visit to a single country. A very full programme lasting six weeks, such as that arranged for Great Britain and Austria, resulted in the participants feeling somewhat exhausted at the end of the first part of the exchange. It was obviously necessary to arrange to extend the period several weeks. It was recognised that in future it would be indispensable to arrange to communicate to health administrations a detailed programme four to six months in advance, and, as far as possible, to forward at the same time the documents to be studied during the interchange. It is likewise necessary to ask health services to make the nominations four to six months in advance in order to allow of direct communication with the officials chosen, so as to give each of them a clear idea of the scope and nature of the exchange. It was also recognised that a group taking part in a period of practical service should not consist of more than two or three officers.

The Committee has taken these considerations into account in organising the third collective interchange, which began on 10th September at Washington.

Twenty-four medical officers, representing 18 European and American countries, are taking part in this interchange. These 24 officers will spend their period of practical service in the sanitary administrations of the municipalities of the various States, and in the Federal Health Service, the whole lasting about 100 days.

Two other interchanges of a different type have been organised. Those taking part in them were specialists in malaria or in the work of public health laboratories. The malaria exchange was organised in Italy, while the interchange between the personnel of the various public health institutes, which have appointed their higher officials for the purpose, is taking place at the present moment.

The Assembly will doubtless recollect that it is thanks to a subsidy from the Rockefeller Foundation that the Health Committee has been able to organise this very extended liaison system, which may be regarded as a model one, between the technical health services.

For the year 1924, the Health Organisation has decided, in agreement with the Council, that four collective interchanges shall take place—one in Great Britain, a second in the Netherlands and Denmark, a third in Switzerland, and a fourth to be organised particularly for the countries of the Far East.

It has further been decided to organise two interchanges in which a limited number of specialists either in tuberculosis or in school hygiene will take part.

The Assembly will perhaps be glad to have a list of the States whose sanitary administrations have benefited by these interchanges up to now. They are as follows :--

Albania, Austria, Belgium, Brazil, Bulgaria, Canada, Chile, Czechoslovakia, Denmark, Finland, France, Germany, Great Britain, Greece, Hungary, Italy, Japan, Mexico, the Netherlands, Norway, Poland, Portugal, Rumania, Russia, the Kingdom of the Serbs, Croats and Slovenes, Spain, Salvador, Sweden, Switzerland, the United States of America and the Ukraine.

The total number of medical officers who have taken part in this system of exchanges is 108.

II.—A new type of interchange will shortly be instituted, thanks to a new grant made by the Rockefeller Foundation a few months ago. It will be used more especially for the purpose of establishing direct relations between the technical officers in charge of the services of public health statistics of their respective countries.

- As my colleagues are aware, the system of health statistics is far from being uniform in the various countries, and health administrations have long been agreed that the initiation of a thorough and systematic study of the methods of interpreting the data regarding the course of epidemics in the various countries is greatly needed. Thanks to this new system of interchange, some 12 medical statistical experts will be able to work in the office of our Health Section at Geneva, and will this year extend their investigations to a few offices of health statistics, such as those in London, Berne and in the Netherlands.

The Second Committee emphasises its desires to establish still closer relations between national services and international organisations dealing with the question of public health, in accordance with the proposition made by the Delegate of Cuba, which it examined. It noted that the Council, on the proposal of the Health Committee, had taken a decision regarding the establishment of a liaison between the Health Organisation of the League of Nations and the Pan-American Sanitary Bureau. This liaison has been effected in the most simple and practical manner, thanks to the fact that Dr. Chagas (Brazil) and Dr. Cumming, Director of the United States Public Health Service and Director of the Pan-American Sanitary Bureau, attend the meetings of the Health Committee.

III.—The Health Organisation has also continued to develop its service of epidemiological intelligence, established by the vote of the Second Assembly. The service is now publishing monthly reports, which supply official data on the course of epidemics in all countries of the world to all public health services, and it is continuing to issue special reports, sometimes twice a week, as soon as it receives definite news of the outbreak of important epidemics. As was the case last year, special attention has been devoted to Russia and to Eastern Europe.

- A quick intelligence service giving the course of the great epidemics is of special importance as far as the countries of the Far East are concerned. This question is connected with the problem of quarantine arrangements in the ports of the Far East, and for the purpose of investigating all these cognate questions a mission was sent to the more important ports of the Far East.

I should like to mention that this was the first mission that the League has sent to the Far East. It received a very cordial welcome from all countries, including my own.

- The Service of Epidemiological Intelligence has also initiated a systematic survey of health organisation and of health statistics in all European countries. Reports of great value have been forwarded to it by the heads of the health services of all these countries, and the work will be extended to other nations.

IV.—There is nothing academic about this work. Certain Governments have referred to the Health Organisation for its advice on special problems. The Albanian Government called the attention of the Health Committee to the importance, both from a health and an economic point of view, of the problem of malaria in Albania. It requested the Committee to outline a plan of campaign against malaria with the object not merely of arresting but of eradicating the disease.

- The Netherlands Government has requested the Health Committee to undertake an enquiry into the possibility of classifying ports according to the arrangements they possess for the medical inspection and treatment of ships.

The Netherlands Government was led to make this request because it wished to see the practice, at present in force in all Dutch ports, applied to all ports. In accordance with Dutch legislation regarding the risk of infection by ships, ships admitted on a clean bill of health to certain ports specified by the competent authorities of the Netherlands Government, are exempt from medical inspection on their arrival at other ports. The Netherlands Government considers that it would be of great advantage to international shipping if this practice could be extended as far as possible. Considering, however, that it would be difficult for it to form an opinion of the present value of the health procedure in foreign ports, the Netherlands Government believes that this enquiry could be more easily carried out by an international organisation. It believes that if the Health Organisation of the League undertook this enquiry, the Netherlands Government itself, as well as other Governments, would be prepared to grant exemption from health inspection to any vessels which had been given a clean bill of health by one of the ports specified by the technical organisation of the League of Nations.

- V.—I should like to remind the Assembly that the Health Committee last year undertook work on the standardisation of sera and of serological reactions.

This work has resulted in the introduction of an international unit to express the value of anti-diphtheritic and anti-tetanic sera. Very important work in connection with other sera is at present being done. Further, with the authority of the Council, the Committee has made arrangements for the investigation of the methods of standardising certain drugs and pharmaceutical products of great importance. A special technical conference was held for this purpose in Edinburgh in July last, and research work is about to begin in a series of laboratories.

The Second Committee has expressed its wish to see this work of the Health Committee further developed. It desires to emphasise that it will lead to researches of immediate practical usefulness and give a great impetus to international co-operation between the principal institutes of medical research throughout the world.

- M. Dvoracek, of the Czechoslovak Delegation, has drawn the attention of the Second Committee to the fact that it would be advisable to obtain the co-operation of the Governments in applying the results obtained by the Health Committee in the investigations on the standardisation of anti-toxic sera.

As this question is very technical, the Second Committee expressed the opinion that the Health Organisation be asked to stand by the proposition of the honourable Delegate for Czechoslovakia and to present to the Council appropriate recommendations.

VI. The Assembly is aware of the work carried out during the last three years by the Epidemic Commission. During the last eight months this Commission has undertaken a great vaccination campaign among the refugees in Greece. It has organised a service of preventive vaccination, and three million individual vaccinations have been performed. This work was done at the request of the Greek Health Authorities, close touch being maintained with the High Commissariat for Refugees.

The Commission has also continued its work, in close connection with the Polish Health Service, for the protection of the European Health Zone established on both sides of the Russo-Polish frontier. It has also continued its epidemiological investigations and its technical collaboration with the Russian Health Services.

It is helping the Latvian Health Services to establish a maritime quarantine station at Libau.

The Assembly will, I am sure, agree with the Second Committee in recognising that both the past and the present activities of the Epidemic Commission—the rapid action which it has taken when public health has been threatened, and its work in collecting information as to the spread of epidemics—have proved remarkably successful and effective.

The Second Committee has adopted a Resolution concerning the Epidemic Commission which, in conformity with the Rules of Procedure, will be examined by the Fourth Committee before it is submitted to the Assembly.

VII.—I shall now pass on to the examination of the scheme for the constitution of the Health Organisation of the League in the form in which it is submitted to the Assembly.

The Covenant of the League of Nations, in Article 23 (f), provides that, subject to and in accordance with the provisions of international conventions, the League shall endeavour to take steps in matters of international concern for the prevention and control of disease.

Article 24 of the Covenant further provides that there shall be placed under the direction of the League all international bureaux already established by general treaties, if the parties to such treaties consent.

In accordance with these provisions, and to help the League to fulfil the task imposed upon it by Article 23 (f) already quoted, the First Assembly expressed the intention of placing the Office international d'hygiène under the direction of the League of Nations, and drew up a general plan for an International Health Organisation, according to which it was to include:—

- (1) The Office international d'hygiène publique, which, reinforced by delegates from the countries which did not take part in the Rome Conference, was to become the General Committee.
- (2) A Technical Committee.
- (3) A Secretariat.

The unanimous agreement of the Governments could not be obtained with regard to the attachment of the Office international d'hygiène publique to the League of Nations.

In these circumstances, the Second Assembly, after noting the measures taken by the Council to carry out, as far as possible, the resolution of the First Assembly, adopted the following resolution:—

“The Health Organisation of the League of Nations shall provisionally comprise a Health Committee. The Secretariat of this Organisation shall be appointed by the Secretary-General of the League, and be responsible to him, and shall be placed under a Medical Director.”

The Provisional Health Committee set up by the Council was therefore approved by the Assembly.

The Third Assembly expressed the opinion that the Health Organisation of the League of Nations met a permanent need, and that it was essential that it should continue its work.

The Assembly further decided that a scheme should be drawn up, before the meeting of the Fourth Assembly, on the basis laid down and in accordance with the principles approved by the First Assembly for the technical organisations of the League, for the constitution of a permanent Health Organisation, and that the scheme should then be submitted for approval to the Fourth Assembly.

This organisation was to be entrusted with the duties defined by the First and Second Assemblies.

In consequence of this decision, the Council of the League of Nations decided on 30th January 1923, to constitute a special Mixed Committee composed of an equal number of members of the Health Committee of the League and of the Office international d'hygiène publique. The duty of the Committee was to prepare a scheme for the constitution of the Permanent Health Organisation.

The resolution of the Council having been accepted by the Committee of the Office international d'hygiène, the special Mixed Committee met in Paris last May.

This Committee drew up a scheme of organisation which has been favourably considered by the Council of the League of Nations, and is at the present moment being examined by the Assembly.

Being anxious to avoid the overlapping which might result from the existence of two separate organisations, the Mixed Committee considered it desirable to establish a close connection between the Health Service of the League of Nations and the Office international d'hygiène publique by establishing the Health Organisation on a similar basis to that of the other technical services of the League.

In accordance with this principle, the proposed Health Organisation is to include:—

- (1) An Advisory Council;
- (2) A Health Committee;
- (3) A Health Section, forming part of the Secretariat of the League of Nations.

The work of the Advisory Council will be entrusted to the Committee of the Office international d'hygiène publique.

The Health Committee is to be composed of 16 members, namely, the Chairman of the Committee of the Office, nine members chosen by that Committee, and six members appointed by the Council of the League of Nations, after consultation with the Health Committee.* It is further suggested that the Council should, if necessary, appoint four extra Health Assessors, who would be regarded as active members of the Committee. The Second Committee considers that these assessors should be appointed for a period of three years in the same way as the other members of the Committee.

* As the new Health Committee will not yet be in existence, the Second Committee believes that the Council should consult the Chairman of the Provisional Health Committee before making the first appointments.

The Health Section of the Secretariat of the League of Nations will continue to be administered in accordance with the regulations governing the organisations of the League of Nations (see Resolution of the First Assembly of 9th December 1920).

All steps have been taken to establish close and profitable relations both between the Advisory Council and the Health Committee, and between the Office international and the Health Section of the League; the two organisations will keep in touch with each other and will forward to the Members of the Council and of the Committee all documents relating to their work.

The Committee of the Office international d'hygiène publique will retain all its powers and will become the Advisory Council of the League of Nations. Its duty will be to consider and discuss any questions which the Health Committee of the League may think fit to submit to it, either on its own initiative or at the request of the Council.

The importance of the opinions and resolutions of the Committee of the Office is enhanced by the fact that it is composed of delegates of all the participating States.

The Committee, which has a large number of members and meets only twice a year, has not always the resources which are indispensable for any exhaustive and practical study of the questions submitted to it. It has, therefore, been provided that the Committee may entrust the preparation of its work to the Health Committee of the League of Nations if it considers that this procedure is likely to assist its investigations. The Health Committee is a less scattered body and has greater elasticity. It may, if occasion arises, carry out enquiries, appoint special sub-committees, and attach to them any qualified persons whose assistance it desires.

The Health Committee of the League of Nations will thus be responsible for the preliminary work on which the Advisory Council's investigations will be based. The Health Committee will also hold itself at the disposal of the Council of the League of Nations to consider all questions which fall within its competence and the solution of which would not appear to require any action on the part of the Advisory Council or would be more quickly secured without such action.

Lastly, the Health Committee will direct the work of the Health Section of the Secretariat of the League of Nations. This Section, which is under the Medical Director and which will act as the Secretariat of the Health Organisation, forms part of the machinery of the Secretariat of the League of Nations.

The powers and duties of the Health Section will be determined by the Health Committee and submitted for the approval of the Secretary-General of the League.

Such are the proposals of the Mixed Committee with regard to the Health Organisation of the League of Nations. They will not involve any increase in expenditure of the League. There is no reason to anticipate the convening of any special sessions of the Office for the consideration of the questions which may be submitted to it by the Council or the Assembly of the League.

The Assembly has therefore every guarantee as regards financial matters.

It need hardly be stated that the Committee and the Health Section will be established in the same place as the League of Nations. The Office international d'hygiène publique will remain in Paris, as provided in the Rome Agreement of 1907.

The Assembly will wish to associate itself with Viscount Ishii, the *rapporteur* to the Council, in congratulating the Mixed Committee on the great thoroughness which it has displayed in solving the problem put before it. Taking into account the experience gained by the other League Committees, it has given our Health Committee all the elasticity that it ought to have, and in particular it has made provision—with the Council's approval, of course—for the formation of sub-committees, the consultation of experts, &c. It has specifically provided that the Health Committee's work is to be confined within the limits of its competence, as laid down by the Council and the Assembly of the League. It is therefore clear that the Council will be asked for its approval in all cases.

The Health Committee, thus constructed, will direct the health work of the League of Nations. Its executive organ, the Health Section of the Secretariat, will remain under the Secretary-General's orders and be responsible to him, but in technical matters it will follow the guiding principles laid down for it by the Health Committee (see Resolution of the First Assembly of 9th December 1920).

The Second Committee accepted, with the greatest possible satisfaction, the scheme of the Mixed Committee for the constitution of the Health Organisation of the League. The Committee would like to emphasise that the intimate association created by this agreement between the Organisation of the League of Nations and the Office International will lead to a simplification of the work and consequently a diminution of the charges which the League has assumed in order to carry out the obligations imposed on it by Article 23 (f) of the Covenant.

The Committee considers that the Health Section of the Secretariat should confine itself to doing the work prescribed by the preceding Assemblies, as has been done hitherto. The work of the Health Committee and of the Health Section should be in the future the same as it has been in the past, namely, to give the Council advice, when called upon to do so, to carry out the programme drawn up by the Advisory Council for its guidance; to execute any mandate given to it by the Council or by the Assembly of the League; to take all emergency measures which may be asked by any Member of the League, on the application of the Governments concerned; and, finally, to act as organ of mediation and interpretation with regard to agreements.

The Second Committee considers it advisable that the agreement between the Office and the Health Services of the League, which it regards as transitional, should develop in the direction of unification.

It might be useful, perhaps, to consider whether the Advisory Council could act in the place of conferences for the conclusion or revision of certain conventions. In this way appreciable economies would be effected, and overlapping with international conferences avoided. These conferences, however, may have a more general constitution and at times more specific duties.

The Second Committee has examined certain suggestions which were put forward by several of its members.

M. Ador requested that the members of the Health Committee be appointed as representatives of their respective Governments and not in their private capacity.

The delegates to the Office international took part in the meetings as representatives of their Governments, and it seemed reasonable that the Health Committee—constituted as suggested—should include among its members both heads of administrative services, dependent as such on their own Governments, and representatives of the medical profession who had specialised in public health and preventive medicine. The method of election proposed by the Mixed Committee would obviously lead to the inclusion in the Health Committee of representatives from both these categories.

The Second Committee was entirely in agreement with M. Ador's desire that the work of the International Health Organisation of the League of Nations, even when at a preparatory stage of enquiry and investigation, should be carried on in the closest possible co-operation with the Governments. The Committee considers, however, that co-operation between the Health Committee and the Governments would in practice be realised without difficulty; most of the members would be selected from the Office international, sitting on the Committee as experts, and attending the Office international as representatives of their Governments. The Committee would certainly include a high proportion of officials from the Public Health Departments. Otherwise there would be a risk that the decisions of a Committee consisting of Government representatives might be influenced by considerations other than those of a scientific or technical character.

Moreover, it is difficult to see how the Advisory Council could nominate nine members of the Committee and the League another six to represent their Governments; such nominations are clearly the prerogative of Governments themselves.

It was suggested in M. Avramovitch's proposal that in the choice of members of the Health Committee, both as regards members to be elected by the Office international and those to be appointed by the Council, due weight should be given to the importance the various Governments attach to health questions and also to geographical representation. It would probably be enough to draw the attention of the Organisation and of the Council to the fact that they would be justified in entrusting this matter to an international body of experts, such as the Committee of the Organisation.

M. Zameta reminded the Second Committee that the Venezuelan Delegation had made the following statement to the Third Assembly:—

"The Venezuelan Delegation is of the opinion that the advisory and technical duties of the Provisional Health Committee and of the Permanent Health Organisation should be more clearly defined, in order that, except in urgent cases and with the approval of the Council of the League of Nations, these Technical Organisations may not proceed to take any steps except such as are in conformity with a plan previously submitted for approval to the Assembly."

He was reminded that M. Rivas-Vicuña, the Chilean Delegate and *rapporteur* of the Second Committee of the Third Assembly, had drawn attention to the fact that the Resolution adopted by the Second Assembly, on the basis of which the plan then under discussion had been drawn up, and had stated explicitly that the Permanent Health Organisation should be established "on the basis of, and in conformity with, the principles adopted by the First Assembly for the Technical Organisations of the League," and that this organisation "should be entrusted with duties defined by the First and Second Assemblies."

The Venezuelan Delegation was satisfied with this statement.

The Second Committee considered that the draft constitution for the Health Organisation drawn up by the Mixed Committee was not in any respect incompatible with the Resolution of the Third Assembly, and assumed that the Health Organisation in its new form would still be controlled throughout by the Council and the Assembly. (See Resolution of the First Assembly of 9th December 1920, on the relations of the Technical Organisations of the League with the Council and the Assembly.)

Jonkheer van Eysinga and M. Avramovitch suggested to the Second Committee that it would be advisable in future to adopt the title of "Health Organisation" instead of "Permanent Health Organisation," and "Advisory Health Council" instead of "General Advisory Health Council."

The honourable Delegate of the Netherlands has further asked that the annual report which the Health Committee will present to the Advisory Health Council should also be submitted to the Assembly.

The Second Committee notes that it would be advisable that the agreement to be concluded between the League of Nations and the Office international d'hygiène publique should be terminable at 12 months' notice.

The Second Committee fully endorses these suggestions.

SUPPLEMENTARY NOTE TO THE REPORT OF THE SECOND COMMITTEE ON THE WORK OF THE HEALTH ORGANISATION.

Presented to the Assembly by the Rapporteur, M. Adatci.

The Second Committee has examined a motion put forward by Sir Neville Howse, the honourable Delegate for Australia, in which it is proposed that the reports presented to the Permanent Mandates Commission by the mandatory Powers should be presented to the Health Committee of the League for any comments which it may desire to make after studying the chapters of the reports dealing with questions of public health.

The Second Committee, desirous of seeing intimate relations established between the special Technical Organisations of the League, has decided to submit to the Assembly the following Resolution, which I have the honour to present:—

"The Assembly considers that all the health reports presented to the Permanent Mandates Commission should be submitted to the Health Committee of the League of Nations for any recommendations it desires to make."

ANNEX VII.—*Report of the Third Committee on the Reduction of Armaments.* (Rapporteur, M. Benes.)

The Third Committee of the Assembly has devoted its sittings to the examination of the work accomplished during the year by the League of Nations in the matter of disarmament.

It took as the basis for its work the report of the Temporary Mixed Commission for the Reduction of Armaments, which was forwarded to it for that purpose by the Council.

This Report is divided into two parts, the first of which deals with the Draft Treaty of Mutual Assistance, while the second discusses other matters relating to the question of disarmament, which also came within the purview of the work of the Temporary Mixed Commission.

For the sake of clearness, the present Report will likewise be divided into two parts, corresponding to the two parts of the Temporary Mixed Commission's Report.

PART I.—DRAFT TREATY OF MUTUAL ASSISTANCE.

I.—ORIGIN OF THE DRAFT TREATY.

The Draft Treaty of Mutual Assistance, which the Temporary Mixed Commission has submitted to the Third Committee, and which is now submitted by the latter in a somewhat amended form to the Assembly, is the fruit of long labour undertaken by the Temporary Mixed Commission since its establishment; the work was entrusted to that body in pursuance of para. (b) of Resolution 3 of the First Assembly, which is worded as follows:—

“The Assembly invites the Council—

“(b) to instruct a Temporary Commission, composed of persons possessing the requisite competence in matters of a political, social and economic nature, to prepare, for submission to the Council in the near future, reports and proposals for the reduction of armaments as provided for by Article 8 of the Covenant.”

This task was defined more clearly in Resolution 2, which provides—

“That the Temporary Mixed Commission be asked to make proposals on general lines for the reduction of national armaments which, in order to secure precision, should be in the form of a Draft Treaty or other equally defined plan, to be presented to the Council, if possible, before the Assembly next year.”

The investigations undertaken by the Temporary Mixed Commission, in pursuance of these resolutions, enabled it to lay before the Third Assembly the general principles which, in its opinion, might serve as a basis for the Draft Treaty which it had been asked to draw up.

These general principles, after discussion by the Third Assembly, were defined in a Resolution known as Resolution XIV., the text of which is as follows:—

“XIV.—(a) The Assembly, having considered the report of the Temporary Mixed Commission on the question of a General Treaty of Mutual Guarantee, being of opinion that this report can in no way affect the complete validity of all the Treaties of Peace or other agreements which are known to exist between States; and considering that this report contains valuable suggestions as to the methods by which a Treaty of Mutual Guarantee could be made effective, is of the opinion that—

“(1) No scheme for the reduction of armaments, within the meaning of Article 8 of the Covenant, can be fully successful unless it is general.

“(2) In the present state of the world many Governments would be unable to accept the responsibility for a serious reduction of armaments unless they received in exchange a satisfactory guarantee of the safety of their country,

“(3) Such a guarantee can be found in a defensive agreement which should be open to all countries, binding them to provide immediate and effective assistance in accordance with a pre-arranged plan in the event of one of them being attacked, provided that the obligation to render assistance to a country attacked shall be limited in principle to those countries situated in the same part of the globe. In cases, however, where, for historical, geographical, or other reasons, a country is in special danger of attack, detailed arrangements should be made for its defence in accordance with the above-mentioned plan.

“(4) As a general reduction of armaments is the object of the three preceding statements, and the Treaty of Mutual Guarantee the means of achieving that object, previous consent to this reduction is therefore the first condition for the Treaty.

“This reduction could be carried out either by means of a general treaty, which is the most desirable plan, or by means of partial treaties designed to be extended and open to all countries.

“In the former case, the Treaty will carry with it a general reduction of armaments. In the latter case, the reduction should be proportionate to the guarantees afforded by the Treaty.

“The Council of the League, after having taken the advice of the Temporary Mixed Commission, which will examine how each of these two systems could be carried out, should further formulate and submit to the Governments for their consideration and sovereign decision the plan of the machinery, both political and military, necessary to bring them clearly into effect.

“(b) The Assembly requests the Council to submit to the various Governments the above proposals for their observations, and requests the Temporary Mixed Commission to continue its investigations, and, in order to give precision to the above statements, to prepare a Draft Treaty embodying the principles contained therein.”

The work of the Temporary Mixed Commission during the past year has consisted in establishing on this foundation the Draft Treaty, taking into account the proposals made to it in this connection by two of its members (Lord Robert Cecil and Colonel Réquin), the opinions of a certain number of Governments on Resolution XIV. which had been submitted to them, and the technical and political reports prepared respectively by the Permanent Advisory Commission for Military, Naval and Air Questions, and by the sub-Committee formed from among the members of the Temporary Mixed Commission in order to follow closely the progress of this work. All these texts have been brought to the notice of the various Governments and of the Assembly, as Annexes to the Report of the Temporary Mixed Commission.

The Third Committee has continued to work on the basis of these very exhaustive reports. It has also had the advantage of being able to obtain the valuable co-operation of a Committee of Jurists, whose services were placed at its disposal by the Council, and whose advice has been of the greatest help to it in the course of its deliberations.

II.—ANALYSIS OF THE DRAFT TREATY.

I.—*The Draft Treaty and the Covenant.*

Attention should be drawn at the outset to the close connection between the Draft Treaty and the Covenant.

In a certain sense it may be said that the whole of the proposed treaty is implicitly confined in paras. 2 to 4 of Article 8 of the Covenant, which provide that:—

“The Council, taking account of the geographical situation and circumstances of each State, shall formulate a plan for such reduction [of armaments] for the consideration and action of the several Governments.

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

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

From this point of view the Draft Treaty might be regarded as the procedure which the Temporary Mixed Commission recommends to the Council for the purpose of carrying out the task incumbent upon the Council under the terms of the paragraphs of Article 8 of the Covenant set out above.

The logical relationship between this Article of the Covenant and the Treaty appears clearly in Resolution XIV.

Faced by the necessity for preparing the way for the reduction of armaments, the Commission began by realising that a certain number of States are not in a position to contemplate a reduction of their armaments without receiving in exchange a guarantee of their security.

The necessity, therefore, arises of strengthening the sentiment of international confidence by defining more clearly everything in the Covenant which may be regarded as an endeavour to obtain a mutual guarantee of security.

A certain connection thus becomes apparent between the work of disarmament and certain Articles of the Covenant, such as Articles 10 and 16*.

But as soon as an appeal is made to States whose safety is not threatened, there arises, in addition to the admitted dependence of disarmament upon the guarantee, a further dependence of the guarantee on the disarmament necessary to satisfy public opinion in such countries.

This is the foundation of the rule upon which the Draft Treaty is based. *The guarantee and disarmament are interdependent.*

It should, however, be emphasised that this rule is merely the result of practical experience, and is in no way the expression of a legal principle.

Certain Members of the Third Committee have indeed raised against this rule an objection founded upon the Covenant, and supported by the undeniable fact that the States signatories of the Covenant, undertook to effect reductions in armaments without any question of guarantees other than those of the Covenant. This idea is reflected in the replies to Resolution XIV.—particularly those given by certain Northern European States. It would seem, however, that the apparent contradiction between the Covenant and the rule laid down in Resolution XIV. can be readily removed by pointing out that, as has already been observed, this rule is merely the result of experience, and is the real governing factor in the disarmament problem, at all events for a certain number of countries.

Therefore the Treaty of Guarantee would be regarded as the means recommended by the Committee for adapting the obligations contained in Article 8 of the Covenant to the realities of the present situation.

Furthermore, the draft differs from the Covenant in regard to its purpose, the nature and definite character of the obligations it contains, and the countries which may adhere to it.

The purpose of the draft is obviously narrower than that of the Covenant. The Covenant is directed towards the pure ideal of world peace and justice; the draft merely aims at the reduction of armaments. The mutual guarantee and the confidence to which it should give birth are the means which have been thought necessary to attain this object.

The obligations and the corresponding rights embodied in the draft are narrower, and at the same time more definite, than those contained in the Covenant. In the draft, the right to the guarantee in case of aggression is absolute, subject to reciprocity (Article 17). The obligations are of two kinds: those which are entailed by the guarantee offered to countries attacked and which are of a more definite nature than the analogous obligations in the Covenant, since they are derived from and correspond strictly with the undertaking to disarm, and those which are directed towards the actual object of the Treaty—a reduction of armaments.

In this aspect, the draft, though narrower and more definite, may be regarded—as one of the most diligent of its authors, Senator Lebrun, has so happily phrased it—as a prolongation of the Covenant.

As regards the countries which would adhere to it, the draft might not apply to certain States signatories to the Covenant, while at the same time it is open to the admission, under certain conditions, of States which are not at present Members of the League. Moreover, the draft contains an article providing for partial or conditional admission subject to reciprocity.

Lastly, mention should here be made of the attitude adopted by certain members of the Committee who consider that the draft, which was solely directed towards the extension of the Covenant by material guarantees, would represent a one-sided development of the League. In the view of these Delegations, the legal and moral aspects of the Covenant should be developed side by side with this development of material guarantees. They particularly emphasise the importance of asking those countries which would, under the present scheme, have the advantage of the guarantee offered by the Draft Treaty for guarantees of a “reasonable” policy (that is to say, they should observe the obligations contained in the Covenant regarding the registration and publication of international treaties and regarding admission to the optional clause of the Statute of the Court of International Justice).

While it fully appreciates these views, the Committee considers that some of the conditions proposed were out of proportion to the object in view, while others might raise difficulties in the way of the admission of certain countries, and might thus work against the universality of the proposed Treaty, which is a condition of its efficacy.

* In regard to this liaison, the Lithuanian Delegation wishes to emphasise the fact that it understands Article 10 of the Covenant of the League as in no wise prejudging territorial disputes between States adhering to this Treaty.

2.—*War of Aggression.*

The Committee has adopted the opinion of the Temporary Mixed Commission as to the desirability of beginning the Draft Treaty of Mutual Assistance, which is aimed at the reduction of armaments, with a solemn declaration condemning all wars of aggression. This is the fundamental idea of Article I. of the Draft Treaty.

It would undoubtedly have been better if this Article could have been retained in the brief and clear form in which it was drawn up by the Temporary Mixed Commission.

The Committee has, however, been obliged to add to this text provisions defining a case of legitimate warfare which is that of a State party to a dispute which has accepted the unanimous recommendation of the Council, the finding of the Permanent Court of International Justice, or an arbitration judgment, and which declares war against another contracting party which has not accepted the verdict of one of the international institutions. When, therefore, this exceptional case has been clearly and loyally admitted, Article I. none the less remains a solemn pact of non-aggression, the spirit of which must govern the application of the Draft Treaty of Mutual Assistance.

3.—*Guarantee—Disarmament.*

The close connection in practice, as far as States adhering to the Treaty are concerned, between the guarantee and disarmament is dealt with in Articles 2, 3, 4 and 5 of the Draft Treaty. This question has already been adequately investigated in connection with the relations between the Draft Treaty and the Covenant. It need only be stated here that the offer of a guarantee in exchange for the reduction of armaments is clearly set forth in Article 2, and Articles 3, 4 and 5 merely provide for its application.

These articles of the draft show that the guarantee and the reduction of armaments operate in the following manner:—

- (1) The general guarantee is established in principle and defined by the Treaty—first stage;
- (2) In the case of certain countries the guarantee is supplemented by special Treaties;
- (3) Each State establishes an estimate of the reduction which it can effect in armaments in virtue of the operation of this single or double guarantee—second stage;
- (4) On the basis of these estimates, the Council draws up the plan of reduction as provided in Article 8 of the Covenant—third stage;
- (5) After having adhered to the plan, the several States undertake to put this plan of reduction, in so far as it affects them, into operation within a period laid down in the Treaty—fourth stage;
- (6) When this undertaking has been given, the guarantee comes into force, and the provisions of Article 8 of the Covenant regarding disarmament are in a fair way to fulfilment.

4.—*Case of Aggression.*

Article 4 determines the intervention of the Council of the League of Nations and the possible intervention of all the signatory States in case of aggression.

All the Committees which have been concerned directly or indirectly with the draft have found great difficulty in defining what constitutes an act of aggression.

The draft submitted to the Assembly is accompanied by a "*Commentary on the definition of a case of aggression*" drawn up by a special Committee of the Temporary Mixed Commission in collaboration with certain technical members of the Permanent Advisory Commission. The Third Committee recommends that this commentary be communicated to the several Governments for their information.

5.—*Special Treaties.*

The discussions in the Third Committee of the last Assembly, which culminated in the adoption of Resolution XIV., brought into prominence the technical difficulties which stood in the way of the establishment of the guarantee.

Certain States, which, for various reasons, regarded themselves as being specially threatened, whilst not denying the great moral and political value of the general guarantee, insisted on the impossibility of risking a reduction of their armaments in exchange for a general guarantee of assistance, the technical preparation, speed and effectiveness of which would be problematical.

It will be seen from the reports of the Permanent Advisory Commission that the technical experts, not merely of these countries but of all those countries represented on the Commission, were unanimously agreed that no assistance could be considered immediate and effective unless it were given in accordance with a prearranged plan.

This condition, which had to be accepted in view of the actual facts, at least as regards certain concrete cases, made it necessary, in the opinion of certain experts, to add to the General Treaty of Guarantee defensive agreements of a more limited nature, which would render possible the conclusion of military conventions to guard against possible threats of aggression.

This idea was not brought into the general system of the Treaty of Guarantee without meeting with very serious objections. The Temporary Mixed Commission and the Third Committee were obliged to reconcile the two attitudes—the attitude which favoured the General Treaty alone and that which favoured the General Treaty supplemented by partial treaties.

The objections which have been brought forward against partial treaties can all be traced to the fear of a reappearance under that name of the former system of alliances, which, in the past, has proved such a serious menace to the life of Europe.

Those who were opposed to partial treaties emphasised the fact that the actual existence of such treaties was evidence of suspicion and mistrust of some State, or group of States. The body of States signatories to the General Treaty were therefore divided in this way, and the division would only be aggravated by the creation of a defensive treaty giving increased power to the signatory countries as a group, even in the unlikely event of a reduction in their individual armaments. In view of this increase of collective power, and of the fact that the group would assume an "orientation" against one or several States, the Committee considered it reasonable to assume that the creation of a rival defensive treaty and the existence of two rival groups would lead to competitive armament, or at least to a strained political situation fraught with serious dangers.

In spite of this serious objection, the Committee stated by a majority vote that it felt bound—for the practical reasons explained above, and for many other reasons based on the requirements of the

practical policy of every day—to retain the system of complementary defensive treaties in its draft. The Committee considered that these agreements should be submitted to the Council for examination. It was only on this condition that certain Delegations expressed their willingness to withdraw their opposition to the principle of partial treaties.

Thus partial treaties cannot benefit by the general guarantee, until the Council has recognised that they are not contrary to the spirit of the Covenant and that they are in harmony with the General Treaty of Mutual Assistance.

To satisfy this condition, they must be registered at the League of Nations and published by the League (Article 7). In admitting these defensive treaties into the general scheme of the Treaty, the Committee was strongly influenced by the fact that some partial treaties already existed; by the consideration that the right of all States to make such treaties was, under certain conditions, recognised in the Covenant, and that the arrangement by which the Council admitted treaties complementary to the General Treaty simply incorporated such treaties, under the Council's guarantee, with a general system of mutual assistance and disarmament; and finally, by the fact that it was preferable to have them published and submitted to control, rather than to expose them to the danger of being concluded as secret treaties, which would constitute a continual menace to world peace.

6.—*Special Situations.*

(a) *States bound by Treaties of Peace.*

The Committee felt bound to examine the conditions under which States that had reduced their armaments in consequence of the Peace Treaties of 1919 and 1920 would be allowed to adhere to the Treaty of Mutual Assistance. There were two aspects to the question. In the first place, it was necessary to define whether the reduction of armaments thus effected could be considered as of the same nature as the reduction which the States parties to the General Treaty undertook to carry out in exchange for the guarantee. An affirmative answer was given to this question and provision was accordingly made by the insertion of a phrase in Article 9 of the Treaty. It was further necessary, in view of the restricted use of their military forces imposed by the Peace Treaties, to define to what extent States disarmed by a Peace Treaty could co-operate in defending States that were attacked. In this matter the Committee adopted an elastic solution, by which these particular cases were to be covered by the principles of Article 17 of the Treaty permitting partial adhesion. This Article would allow States disarmed by the Peace Treaties to enjoy some of the advantages of the Treaty without being compelled to assume obligations which the Peace Treaties would prevent them from meeting.

(b) *Reduction without Guarantees.*

Article 17 introducing the principle of partial adhesion into the draft of the General Treaty, is intended in particular to meet the case of certain States which might consider themselves in a position to carry out the reduction without being obliged to have recourse to the military guarantee. It was natural that a more flexible system of adhesion should be provided for such States, allowing them to adhere to the whole and to add to it the weight of their moral authority and to the advantages of their co-operation in all civil spheres of action (economic, financial, &c.) and at the same time exempting them from assuming the military obligations which, as a general rule, are imposed upon the other parties.

Certain delegations, however, interpreted this Article as allowing adhesion to the Treaty of General Assistance of countries who incurred thereby neither military nor civil obligations (economic, financial, &c.), but whose adhesion was limited to a sort of moral co-operation accompanied, in any case, by an effective reduction of their armaments.

(c) *Position of the South American States.*

The Committee was deeply interested in the statement of the Chilean representative concerning the special situation of the South American States. In these countries the question which in Europe concerns the reduction of armaments assumes a different aspect, as, according to the information furnished by certain South American representatives, those countries have, to all intents and purposes, disarmed. As the Brazilian representative pointed out, the question for those countries is rather one of limitation.

The Committee has found it necessary to adapt the draft to this particular aspect of the disarmament problem found in South America, which may also occur elsewhere, by adding the word "limitation" to the word "reduction" in all sentences of the text in which the reduction of armaments was mentioned. The Committee considers that allowance will have to be made for the situation of the South American States and other similar situations in drawing up the plan for the reduction of armaments.

(d) *Ratifications and Denunciations.*

The Committee has been confronted with the legal and political difficulties raised by the questions of the ratification and denunciation of the Treaty. After studying suggestions put forward by the Committee of Jurists, the Committee, rather than propose a definite text, has decided to add to its draft two Articles (18 and 19) which respectively deal with these two questions, but merely as an indication of subject-matter requiring further study by those Governments to which the Draft is submitted with a view to arriving at a satisfactory and definite text.

7.—*Conclusions.*

The Draft Treaty examined by the Committee and communicated by it to the Assembly is a result of the foregoing considerations. The *Rapporteur* and his colleagues in the Committee will readily appreciate the imperfections that it contains. Both the difficulties inherent in such a complicated undertaking and the pre-occupations of the moment are reflected in the text that has been drawn up. The discussions of the Committee have revealed inevitable differences of opinion. In addition to these differences, which are largely due not only to the different political and geographical positions of the several countries, but also, perhaps, to that variety of intellectual tendencies which is one of the advantages and also one of the difficulties of any international work, certain problems of a legal nature have arisen. The attention of the Third Committee was drawn to the importance of these questions by the Committee of Jurists, to whom the Council had entrusted the re-drafting of the text itself.

The Committee did not feel able to enter forthwith upon the discussion of these questions of subject-matter, however interesting they might be, and however deeply it might feel indebted to the jurist who had indicated them. It merely adopted the purely formal alterations recommended by the Committee of Jurists. The improved text is communicated to the Assembly, with the remarks of the Committee of Jurists in connection with the matter treated.

The Committee is of the opinion that, although it is at present impossible to recommend to the Governments the immediate adoption of this text, it represents, none the less, in view of present circumstances, a step forward on the difficult path of armament reduction.

The Committee, therefore, considers that the draft should be sent in its present form to the Governments, which should be requested to express their views as soon as possible. These opinions would then provide material for the work of the Temporary Mixed Commission and of the Council, pending the next Assembly.

It is impossible to attain the object set before the States Members of the League of Nations in Article 8 of the Covenant which they have signed unless continual efforts are made to solve the problems that arise in the course of the discussion itself. It is even reasonable to suppose that the perseverance and willingness displayed in this methodical work constitute one of the moral forces that will certainly contribute to the good understanding essential to any work of disarmament.

In view of these considerations, the Third Committee proposes to the Assembly the adoption of the following resolution :—

“The Assembly,

“Having taken cognisance of the Draft Treaty of Mutual Assistance drawn up by the Temporary Mixed Commission and amended by the Third Committee as a result of an exchange of views between its members, some of whom spoke in their personal capacity,

“Considering that this discussion has revealed some divergences of view and, farther, that a large number of Governments have not yet expressed their opinions on Resolution XIV. of the Third Assembly,

“Decides to request the Council to submit the Draft Treaty of Mutual Assistance to the Governments for their consideration, asking them to communicate their views in regard to the aforesaid Draft Treaty.”

III.—TEXT OF THE TREATY OF MUTUAL ASSISTANCE.

Preamble.

The High Contracting Parties, being desirous of establishing the general lines of a scheme of mutual assistance with a view to facilitate the application of Articles 10 and 16 of the Covenant of the League of Nations, and of a reduction or limitation of national armaments in accordance with Article 8 of the Covenant “to the lowest point consistent with national safety and the enforcement by common action of international obligations,” agree to the following provisions :—

Article 1.

The High Contracting Parties solemnly declare that aggressive war is an international crime and severally undertake that no one of them will be guilty of its commission.

A war shall not be considered as a war of aggression if waged by a State which is party to a dispute and has accepted the unanimous recommendation of the Council, the verdict of the Permanent Court of International Justice, or an arbitral award against a High Contracting Party which has not accepted it, provided however, that the first State does not intend to violate the political independence or the territorial integrity of the High Contracting Party.

Article 2.

The High Contracting Parties, jointly and severally, undertake to furnish assistance, in accordance with the provisions of the present Treaty, to any one of their number should the latter be the object of a war of aggression, provided that it has conformed to the provisions of the present Treaty regarding the reduction or limitation of armaments.

Article 3.

In the event of one of the High Contracting Parties being of opinion that the armaments of any other High Contracting Party are in excess of the limits fixed for the latter High Contracting Party under the provisions of the present Treaty, or in the event of it having cause to apprehend an outbreak of hostilities, either on account of the aggressive policy or preparations of any State party or not to the present Treaty, it may inform the Secretary-General of the League of Nations that it is threatened with aggression, and the Secretary-General shall forthwith summon the Council.

The Council, if it is of opinion that there is reasonable ground for thinking that a menace of aggression has arisen, may take all necessary measures to remove such menace, and in particular, if the Council thinks right, those indicated in sub-paras. (a), (b), (c), (d) and (e) of the second paragraph of Article 5 of the present Treaty.

The High Contracting Parties which have been denounced and those which have stated themselves to be the object of a threat of aggression shall be considered as especially interested and shall therefore be invited to send representatives to the Council in conformity with Articles 4, 15 and 17 of the Covenant. The vote of their representatives shall, however, not be reckoned when calculating unanimity.

Article 4.

In the event of one or more of the High Contracting Parties becoming engaged in hostilities, the Council of the League of Nations shall decide, within four days of notification being addressed to the Secretary-General, which of the High Contracting Parties are the objects of aggression and whether they are entitled to claim the assistance provided under the Treaty.

The High Contracting Parties undertake that they will accept such a decision by the Council of the League of Nations.

The High Contracting Parties engaged in hostilities shall be regarded as especially interested, and shall therefore be invited to send representatives to the Council (within the terms of Articles 4, 13 and 17 of the Covenant), the vote of their representative not being reckoned when calculating unanimity; the same shall apply to States signatory to any partial agreements involved on behalf of either of the two belligerents, unless the remaining Members of the Council shall decide otherwise.

Article 5.

The High Contracting Parties undertake to furnish one another mutually with assistance in the case referred to in Article 2 of the Treaty in the form determined by the Council of the League of Nations as the most effective, and to take all appropriate measures without delay in the order of urgency demanded by the circumstances.

In particular, the Council may—

- (a) decide to apply immediately to the aggressor State the economic sanctions contemplated by Article 16 of the Covenant, the Members of the League not signatory to the present Treaty not being, however, bound by this decision, except in the case where the State attacked is entitled to avail itself of the Articles of the Covenant;
- (b) invoke by name the High Contracting Parties whose assistance it requires. No High Contracting Party situated in a continent other than that in which operations will take place shall, in principle, be required to co-operate in military, naval or air operations;
- (c) determine the forces which each State furnishing assistance shall place at its disposal;
- (d) prescribe all necessary measures for securing priority for the communications and transport connected with the operations;
- (e) prepare a plan for financial co-operation among the High Contracting parties with a view to providing for the State attacked and for the States furnishing assistance the funds which they require for the operations;
- (f) appoint the Higher Command and establish the object and the nature of his duty.

The representatives of States recognised as aggressors under the provisions of Article 4 of the Treaty shall not take part in the deliberations of the Council specified in this Article. The High Contracting Parties who are required by the Council to furnish assistance, in accordance with sub-para. (b), shall, on the other hand, be considered as especially interested, and, as such, shall be invited to send representatives, unless they are already represented, to the deliberations specified in sub-paras. (c) (d), (e) and (f).

Article 6.

For the purpose of rendering the general assistance mentioned in Articles 2, 3 and 5 immediately effective, the High Contracting Parties may conclude, either as between two of them or as between a larger number, agreements complementary to the present Treaty exclusively for the purpose of their mutual defence and intended solely to facilitate the carrying out of the measures prescribed in this Treaty, determining in advance the assistance which they would give to each other in the event of any act of aggression.

Such agreements may, if the High Contracting Parties interested so desire, be negotiated and concluded under the auspices of the League of Nations.

Article 7.

Complementary agreements, as defined in Article 6, shall, before being registered, be examined by the Council with a view to deciding whether they are in accordance with the principles of their Treaty and of the Covenant.

In particular, the Council shall consider if the cases of aggression contemplated in these agreements come within the scope of Article 2 and are of a nature to give rise to an obligation to give assistance on the part of the other High Contracting Parties. The Council may, if necessary, suggest changes in the texts of agreements submitted to it.

When recognised, the agreements shall be registered in conformity with Article 18 of the Covenant. They shall be regarded as complementary to the present Treaty, and shall in no way limit the general obligations of the High Contracting Parties nor the sanctions contemplated against the aggressor State under the terms of this Treaty.

They will be open to any other High Contracting Party with the consent of the signatory States.

Article 8.

The States parties to complementary agreements may undertake in any such agreements to put into immediate execution, in the cases of aggression contemplated in them, the plan of assistance agreed upon. In this case they shall inform the Council of the League of Nations, without delay, concerning the measures which they have taken to ensure the execution of such agreements.

Subject to the terms of the previous paragraph, the provisions of Articles 4 and 5 above shall also come into force both in the cases contemplated in the complementary agreements and in such other cases as are provided for in Article 2 but are not covered by the agreements.

Article 9.

In order to facilitate the application of the present Treaty, any High Contracting Party may negotiate, through the agency of the Council, with one or more neighbouring countries for the establishment of demilitarised zones.

The Council, with the co-operation of the representatives of the Parties interested, acting as Members within the terms of Article 4 of the Covenant, shall previously ensure that the establishment of the demilitarised zone asked for does not call for unilateral sacrifices from the military point of view on the part of the High Contracting Parties interested.

Article 10.

The High Contracting Parties agree that the whole cost of any military, naval or air operations which are undertaken under the terms of the present Treaty and of the supplementary partial agreements, including the reparation of all material damage caused by operations of war, shall be borne by the aggressor State up to the extreme limits of its financial capacity.

The amount payable under this article by the aggressor shall, to such an extent as may be determined by the Council of the League, be a first charge on the whole of the assets and revenues of the State. Any repayment by that State in respect of the principal money and interest of any loan, internal or external, issued by it directly or indirectly during the war shall be suspended until the amount due for cost and reparations is discharged in full.

Article 11.

The High Contracting Parties, in view of the security furnished them by this Treaty and the limitations to which they have consented in other international treaties, undertake to inform the Council of the League of the reduction or limitation of armaments which they consider proportionate to the security furnished by the General Treaty or by the defensive agreements complementary to the General Treaty.

The High Contracting Parties undertake to co-operate in the preparation of any general plan of reduction of armaments which the Council of the League of Nations, taking into account the information provided by the High Contracting Parties, may propose under the terms of Article 8 of the Covenant.

This plan should be submitted for consideration and approved by the Governments, and, when approved by them, will be the basis of the reduction contemplated in Article 2 of this Treaty.

The High Contracting Parties undertake to carry out this reduction within a period of two years from the date of the adoption of this plan.

The High Contracting Parties undertake, in accordance with the provisions of Article 8, para. 4, of the Covenant, to make no further increase in their armaments, when thus reduced, without the consent of the Council.

Article 12.

The High Contracting Parties undertake to furnish to the military or other delegates of the League such information with regard to their armaments as the Council may request.

Article 13.

The High Contracting Parties agree that the armaments determined for each of them, in accordance with the present Treaty, shall be subject to revision every five years, beginning from the date of the entry into force of this Treaty.

Article 14.

Nothing in the present Treaty shall affect the rights and obligations resulting from the provisions of the Covenant of the League of Nations or of the Treaties of Peace signed in 1919 and 1920 at Versailles, Neuilly, St. Germain and Trianon, or from the provisions of treaties or agreements registered with the League of Nations and published by it at the date of the first coming into force of the present Treaty as regards the signatory or beneficiary Powers of the said treaties or agreements.

Article 15.

The High Contracting Parties recognise from to-day as *ipso facto* obligatory, the jurisdiction of the Permanent Court of International Justice with regard to the interpretation of the present Treaty.

Article 16.

The present Treaty shall remain open for the signature of all States Members of the League of Nations or mentioned in the Annex to the Covenant.

States not Members shall be entitled to adhere with the consent of two-thirds of the High Contracting Parties with regard to whom the Treaty has come into force.

Article 17.

Any State may, with the consent of the Council of the League, notify its conditional or partial adherence to the provisions of this Treaty, provided always that such State has reduced or is prepared to reduce its armaments in conformity with the provisions of this Treaty.

Article 18.

[The present Treaty shall be ratified and the instruments of ratification shall be deposited as soon as possible at the Secretariat of the League of Nations.

It shall come into force:

In Europe when it shall have been ratified by five States, of which three shall be permanently represented on the Council;

In Asia when it shall have been ratified by two States, one of which shall be permanently represented on the Council;

In North America when ratified by the United States of America;

In Central America and the West Indies when ratified by one State in the West Indies and two in Central America;

In South America when ratified by four States;

In Africa and Oceania when ratified by two States.

With regard to the High Contracting Parties which may subsequently ratify the Treaty, it will come into force at the date of the deposit of the instrument.

The Secretariat will immediately communicate a certified copy of the instruments of ratification received to all the signatory Powers.

It remains understood that the rights stipulated under Articles 2, 3, 5, 6 and 8 of this Treaty will not come into force for each High Contracting Party until the Council has certified that the said High Contracting Party has reduced its armaments in conformity with the present Treaty or has adopted the necessary measures to ensure the execution of this reduction, within two years of the acceptance by the said High Contracting Party of the plan of reduction or limitation of armaments.]

Article 19.

[The present Treaty shall remain in force for a period of 15 years from the date of its first entry into force.

After this period, it will be prolonged automatically for the States which have not denounced it.

If, however, one of the States referred to in Article 18 denounces the present Treaty, the Treaty shall cease to exist as from the date on which this denunciation takes effect.

This denunciation shall be made to the Secretariat of the League of Nations, which shall, without delay, notify all the Powers bound by the present Treaty.

The denunciation shall take effect 12 months after the date on which notification has been communicated to the Secretariat of the League of Nations.

When the period of 15 years, referred to in the first paragraph of the present Article, has elapsed, or when one of the denunciations made in the conditions determined above takes place, if operations undertaken in application of Article 5 of the present Treaty are in progress, the Treaty shall remain in force until peace has been completely re-established.]

IV.—COMMENTARY ON THE DEFINITION OF THE CASE OF AGGRESSION.

(Drawn up by a Special Committee of the Temporary Mixed Commission.)*

1. It would be theoretically desirable to set down in writing, if it could be done, an exact definition of what constitutes an act of aggression. If such a definition could be drawn up, it would then merely remain for the Council to decide in each given case whether an act of aggression within the meaning of this definition had been committed.

It appears, however, to be exceedingly difficult to draw up any such definition. In the words of the Permanent Advisory Commission, "under the conditions of modern warfare, it would seem impossible to decide even in theory what constitutes an act of aggression."

2. Hitherto, according to the opinion expressed by certain members of the Permanent Advisory Commission, in the Report drawn up by that Commission, "aggression could be defined as mobilisation or the violation of a frontier. This double test has lost its value."

It is further stated that—

"Mobilisation, which consisted, until quite recently, of a few comparatively simple operations (calling up of reserves, purchases or requisitions and establishment of war industries *after the calling up of the men*), has become infinitely more complicated and more difficult both to discover at its origin and to follow in its development. In future, mobilisation will apply not merely to the army, but to the whole country before the outbreak of hostilities (collection of stocks of raw materials and munitions of war, industrial mobilisation, establishment or increased output of industries). All these measures which give evidence of an intention to go to war may lead to discussions and to conflicting interpretations, thus securing *decisive* advantages to the aggressor unless action be taken."

3. Similarly, in the view of the Permanent Advisory Commission, the test of the violation of a frontier has also lost its value.

The Report states:—

"The violation of a frontier by 'armed forces' will not necessarily be, in future, such an obvious act of violence as it has hitherto been. . . . The passage of the frontier by the troops of another country does not always mean that the latter country is the aggressor. Particularly in the case of small States, the object of such action may be to establish an initial position which shall be as advantageous as possible for the defending country, and to do so before the adversary has had time to mass his superior forces. A military offensive of as rapid a character as possible may therefore be a means, and perhaps the only means, whereby the weaker party can defend himself against the stronger. It is also conceivable that a small nation might be compelled to make use of its Air Forces in order to forestall the superior forces of the enemy and take what advantage was possible from such action.

"Finally, the hostilities between two naval Powers generally begin on sea by the capture of merchant vessels or other acts of violence—very possibly on the high seas outside territorial waters. The same applies to air operations, which may take place without any violation of the air frontiers of States."

Nevertheless it is still conceivable that in many cases the invasion of a territory constitutes an act of aggression, and, in any case, it is important to determine which State had violated the frontier.

If the troops of one Power invade the territory of another, this fact in itself constitutes a presumption that the first Power has committed a wrongful act of aggression.

But, apart from the considerations already given, this is not entirely conclusive. When armies have been practically in contact on the frontier which divides their respective countries, it may be exceedingly difficult to obtain conclusive evidence as to which of them first crossed the frontier; and, once the frontier is crossed and hostilities have begun, it may not be possible to know from the geographical position of the troops alone which State was guilty.

4. In order to avoid such a case arising, the Council might desire, in certain cases where such a course could be followed without disadvantage to either party, either before hostilities began, or even

* This Committee was composed as follows:—

Lord Robert Cecil (Chairman), Count Bonin-Longare, M. Janssen, M. Jouhaux, Rear-Admiral Kiyokawa, Colonel Lohner, Admiral Marquis de Magaz, General de Marins-Stendardo di Ricigliano, Lieut.-Colonel Réquin, Rear-Admiral Mcgrave.

after they had begun, to invite both parties to withdraw their troops a certain distance behind a given line. It might be that such a request could be made by the Council with the intimation that, if either party refused to accede to it, such refusal would be considered as an element in deciding which was the aggressor.

5. There may, of course, be other cases in which some action of one of the parties will simplify the matter by proving it clearly to be the aggressor. If, for example, one Power carried out a large-scale attack upon the territory of the other, that would be conclusive. Similarly, a surprise attack by poison gas, executed from the air on the territory of the other party, would be decisive evidence.

6. It may, however, be accepted that no satisfactory definition of what constitutes an act of aggression could be drawn up. But even supposing that such a definition were possible, there would still be difficulty in determining when an act of aggression within the meaning of this definition has actually taken place. In the view of the Permanent Advisory Commission, the signs of an intention of aggression would appear in the following order:—

- “ (1) Organisation on paper of industrial mobilisation.
- “ (2) Actual organisation of industrial mobilisation.
- “ (3) Collection of stocks of raw materials.
- “ (4) Setting on foot of war industries.
- “ (5) Preparation for military mobilisation.
- “ (6) Actual military mobilisation.
- “ (7) Hostilities.

“ Numbers (1) and (5) (and to some extent Number (2)), which are in all cases difficult to recognise, may, in those countries which are not subject under the Peace Treaties to any obligation to disarm, represent precautions which every Government is entitled to take.

“ Number (3) may be justified by economic reasons, such as profiting by advantageous markets or collecting stocks in order to guard against the possible closing of certain channels of supply owing to strikes, &c.

“ Number (4) (Setting on foot of war industries) is the first which may be definitely taken as showing an intention to commit aggression; it will, however, be easy to conceal this measure for a long period in countries which are under no military supervision.

“ When Numbers (6) and (7) are known to have taken place, it is too late.

“ In the absence of any indisputable test, Governments can only judge by an impression based upon the most various factors, such as:—

- “ the political attitude of the possible aggressor;
- “ his propaganda;
- “ the attitude of his press and population;
- “ his policy on the international market, &c.”

7. One of the conclusions which follows from the above contentions set forth in the report of the Permanent Advisory Commission is that, quite apart from the material sides of the aggressive intention, the real act of aggression may lie, not so much in orders given to its troops by one of the parties, as in the attitude which it adopts in the negotiations concerning the subjects of dispute. Indeed, it might be that the real aggression lies in the political policy pursued by one of the parties towards the other. For this reason it might perhaps appear to the Council that the most appropriate measure that could be taken would be to invite the two parties, either to abstain from hostilities or to cease the hostilities they have begun, and to submit their whole dispute to the recommendation of the Council or the decision of the Permanent Court of International Justice, and to undertake to accept and execute whatever recommendation or decision either of these bodies might give. Such an invitation might again be accompanied by an intimation that the party which refused would be considered to be the aggressor.

8. It is clear, therefore, that no simple definition of aggression can be drawn up, and that no simple test of when an act of aggression has actually taken place can be devised. It is therefore clearly necessary to leave the Council complete discretion in the matter, merely indicating that the various factors mentioned above may provide the elements of a just decision. These factors may be summarised as follows:—

- (a) Actual industrial and economic mobilisation carried out by a State either in its own territory or by persons or societies on foreign territory.
- (b) Secret military mobilisation by the formation and employment of irregular troops or by a declaration of a state of danger of war which would serve as a pretext for commencing hostilities.
- (c) Air, chemical or naval attack carried out by one party against another.
- (d) The presence of the armed forces of one party in the territory of another.
- (e) Refusal of either of the parties to withdraw their armed forces behind a line or lines indicated by the Council.†
- (f) A definitely aggressive policy by one of the parties towards the other, and the consequent refusal of that party to submit the subject in dispute to the recommendation of the Council or to the decision of the Permanent Court of International Justice and to accept the recommendation or decision when given.

9. In conclusion, it may be pointed out that in the case of a surprise attack it would be relatively easy to decide on the aggressor, but that in the general case, where aggression is preceded by a period of political tension and general mobilisation, the determination of the aggressor and the moment at which aggression occurred would prove very difficult.

* Count Bonin-Longare and General de Marinis state that they would prefer that this article should be suppressed.

M. Jouhaux prefers the original text, which runs as follows: “ In order to avoid such a case rising, it might well be that the Council of the League might desire, either before hostilities began or even after they had begun, to invite both parties to withdraw their troops at a certain distance behind a given line. It might be that such a request could be made by the Council with the intimation that whichever party refused to accede to it would be considered the aggressor.”

† Count Bonin-Longare and General Marinis refer to the reservations made by them on No. 4.

But it must be remembered that in such a case the Council, under the provisions of the Covenant, will have been engaged in efforts to avoid war, and may therefore probably be in a position to form an opinion as to which of the parties is really actuated by aggressive intentions.

V.—NOTES BY THE COMMITTEE OF JURISTS.

On the proposal of M. Salandra, the Council of the League of Nations, at its meeting held on 1st December, decided to refer for examination to a Committee of Jurists nominated by the President the text of the Draft Treaty of Mutual Assistance drawn up by the Temporary Mixed Commission.

Following on this decision, M. le Vicomte Ishii, President of the Council, nominated the following Jurists as members of this Committee:—

Dr. Juan José Amezaga, Uruguay.
 Professor Joseph Barthelemy, France.
 M. C. Botella, Spain.
 Dr. J. A. van Hamel, Director of the Legal
 Section of the League of Nations.
 Mr. Hugh Kennedy, Ireland.

His Excellency M. Afranio de Mello-Franco,
 Brazil.
 M. H. A. Rolin, Belgium.
 His Excellency M. Vittorio Scialoja, Italy.
 M. Yotaro Soughimoura, Japan.
 M. Oesten Unden, Sweden.

The Committee held a number of meetings and examined the text of the Articles adopted by the Third Assembly Committee during its first reading. The observations which a study of this text suggested formed the subject of a series of Notes addressed on 14th, 19th, 22nd, 25th and 27th September, to M. Skirmunt, President of the Third Committee, and distributed to the members. A large number of these observations were adopted by the Third Committee during the second reading.

The following Notes on matters of substance are those which the Third Committee was unable to take into consideration by reason of the shortness of time available for completing its task.

(Signed) HENRI ROLIN, Secretary.

JOSEPH BARTHELEMY, President.

1.—PACT OF NON-AGGRESSION.

Article 1.

(Draft proposed by the Committee of Jurists.)

“The High Contracting Parties solemnly declare that a war entered into contrary to the provisions of the Covenant constitutes an international crime, and they severally undertake that none of them will be guilty of its commission.”

Observations:

1. The text proposed by the Third Committee constitutes an undertaking that the Contracting Parties will not be guilty of “aggressive war.” This term is not used in the Covenant. Mention is made in the latter of aggression, menace of aggression, and resort to war. It prohibits resort to war in the cases indicated in Articles 12, 13 and 15, that is to say, until three months after the arbitral award or judicial decision or the report of the Council; or against a State which complies with a decision of the Court of Justice or a unanimous recommendation of the Council.

It authorises by implication war in the case of States which comply with a unanimous recommendation by the Council and, in general, in the case of all parties to a dispute in which the Council fails to reach a unanimous recommendation. (Article 15, para. 7.)

A war declared under these conditions may occasionally be justly described by public opinion as an aggressive war; it cannot, however, be considered as an international crime in the legal sense of the word, and the High Contracting Parties certainly cannot insist that the Council should consider as such the use which a Member, not a signatory of the Treaty, may make of a right reserved to it by the Covenant. The effect of the suggested stipulation should therefore be limited to the High Contracting Parties.

2. With regard to the signatories of the Treaty, the prohibition to resort to war presents serious practical difficulties; it would, in effect, imply an extension of the power of the Council, to whom the task of ensuring the execution of its recommendations taken on a simple majority vote would have to be entrusted. It seems that, either the draft should be completed in this respect, or else the amendment suggested above accepted.

3. The amendment proposed by the Committee of Jurists means no more than a reference to the obligations of the Covenant. The mention of these obligations at the beginning of the present draft might seem useless. It may be, however, justified on the grounds of the possible participation in the Treaty of States which are not Members of the League of Nations.

2.—OBLIGATIONS OF GENERAL ASSISTANCE.

Article 2.

Causa Fœderis. (Wording proposed by the Committee of Jurists.)

“The High Contracting Parties jointly and severally undertake to furnish assistance, in accordance with the provisions of the present Treaty, to any one of their number which, after having reduced its armaments in accordance with the present Treaty, may be the object of a war, forbidden by the Covenant of the League of Nations either on account of its origin or of its object.”

Observations:

The Committee of Jurists considers that the objections they have raised in Article 1 apply with even greater force to this Article. The word “aggression” covers not only all possible cases of recourse to war in violation of the Covenant, but applies also to certain other hypothetical cases and involves the carrying into effect of defensive mutual assistance in cases of recourse to war authorised by the Covenant.

The Committee of Jurists has already pointed out in the course of its observations referring to Article 1, that this solution would oblige the extension of the authority of the Council as a mediating body.

While Article 1 does not confer this right to the Council, Article 2 appeals to its intervention for the organisation of the mutual assistance.

The Committee sees here a new and serious difficulty. The case may be considered where a Member of the League not a Contracting Party attacks a Contracting Party under circumstances in which the Covenant implicitly authorises such a measure by Article 15, para. 6.

The Treaty becomes operative, but not the Covenant. The Council is called upon to intervene and to organise the action to be taken by the High Contracting Parties against a Member of the League which is exercising its right. Certain Members of the Council doubtless belong to States which are not themselves parties to the Treaty. Will they be able to take part in this use of the High Contracting Parties' forces against the State which, while not a party to the Treaty, is exercising the right conferred on it by the Covenant?

The Committee of Jurists considers that the solution of this problem would give rise to inextricable complications.

The text proposed by the Committee of Jurists refers to the Covenant. The expression "war forbidden on account of its object" aims at the possibility of a war the launching of which would not be contrary to the obligations of the Members of the League, defined by Articles 12-15, but that would nevertheless call forth a general intervention as being directed against the political independence or the territorial integrity of the member.

Article 4.

Observations:

The Committee did not consider itself competent to delete the term of four days imposed on the Council by the text submitted, but it entertains doubts on the validity of any such clause, the penalty for non-observance of which it is impossible to conceive.

Further, in connection with the third paragraph, it is moreover of opinion that it is desirable to provide for the case in which there would be no "remaining Members," or, if any, they were too few in number, and belonged to countries too distant to permit of their taking authoritative and competent decisions.

3.—COMPLEMENTARY AGREEMENTS.

Articles 6 to 9.

Observations:

One member of the Committee of Jurists raised the question as to whether the High Contracting Parties were thereby deprived of the right of concluding partial agreements beyond the scope of the provisions of Articles 6, 7 and 8, and also as to whether they were free to conclude complementary agreements with States not parties to the Treaty. The Committee of Jurists did not consider itself in a position to express an opinion on these questions because of their political nature.

Article 9.

Demilitarised neutral zones. (Wording proposed by the Committee of Jurists.)

"In order to facilitate the application of the present Treaty, any High Contracting Party may negotiate under the auspices of the Council with one or more High Contracting Parties for the establishment of demilitarised neutral zones provided that this establishment does not involve unilateral or unequal sacrifices on the part of any of the parties."

Observations:

1. The Committee of Jurists thinks it would be better to adopt in the provision relating to neutralisation agreements the same wording as that used in connection with the complementary defensive agreements.

2. The object of this provision is apparently to oblige States to reply to any invitation addressed to them by a neighbouring State to have the question of creating a demilitarised zone examined before the Council. This obligation is not contained in the Covenant. It would therefore seem necessary to make it clear that it applies only to the High Contracting Parties.

3. Lastly, the Committee of Jurists thinks it necessary to point out that the draft did not define the legal consequences of such neutralisation agreements. Are they complementary to the General Treaty of Mutual Assistance, and does the violation of a neutral zone constitute a *casus fœderis*?

5.—COST OF INTERVENTION.

Article 10.

Payment of cost of operation of collective repression. (Wording proposed by the Committee of Jurists.)

"The High Contracting Parties are of opinion, in accordance with the spirit of this Treaty, that the whole cost of any military, naval or air operations which are undertaken for the repression of an aggression under the terms of the present Treaty, and also the reparation of all material damage caused by the operations and of all injuries suffered by civilians or members of the military forces, should be borne by the aggressor State up to the extreme limits of its financial capacity."

Observations:

1. The Committee of Jurists is of opinion that the High Contracting Parties cannot assume an engagement on this subject, for there is a possibility that the war claims might conflict as to priority with the claims of other States.

The Council must be trusted to satisfy in the greatest possible degree the principles laid down in the first paragraph.

2. The Committee of Jurists thinks that the Third Committee intended that mention should be made of injuries to individuals, who appeared to be excluded by the restrictive nature of the proposed working.

6.—DISARMAMENT.

Articles 11-13.

(No observations.)

7.—REFERENCES TO THE TREATIES IN FORCE.

Article 15.

(Draft proposed by the Committee of Jurists.)

"Nothing in the present Treaty shall affect the rights and obligations resulting from the provisions of the Covenant of the League of Nations, or of the Treaties of Peace signed in 1923, 1919 and 1920 at Versailles, Neuilly, St. Germain, Trianon and Lausanne, or from the provisions of treaties or agreements registered with the Secretariat of the League of Nations at the date of the drawing up of the present Treaty.

"The High Contracting Parties whose international status prohibits the use of military forces outside their frontiers, shall be *ipso facto* exempt from the duty of affording general military assistance as laid down in the present Treaty."

Observations :

By virtue of this provision, the High Contracting Parties recognise the validity of the international treaties mentioned above; but it has seemed to the Committee of Jurists that this provision might at the most extend to the treaties in being at the time of the signing of the present treaty; it seems impossible that the High Contracting Party should recognise the validity of treaties which might be concluded in the absence of all supervision, subsequently to signature and previously to the entry into force of the Treaty of Mutual Assistance.

2. The Committee of Jurists has considered it advisable to delete the mention of publicity, which depends on the Secretariat only and necessarily ensues upon registration.

The Committee of Jurists believes that in the same way as Switzerland has been enabled to adhere to the Covenant of the League of Nations in spite of its system of neutrality, in like manner the Third Committee admitted the eventuality of the general adhesion of this country and of the disarmed States to the Treaty of Mutual Assistance, but it would seem advisable to embody this idea definitely in the Treaty.

8.—SIGNATURE, PARTIAL ADHESION, RATIFICATION AND DENUNCIATION.

Articles 16-19.

Observations :

On account of the shortness of time, the Committee of Jurists has been unable to consider these articles as fully as it would wish.

The Committee of Jurists considers it desirable, however, to call the attention of the Committee to complications which may arise should the Treaty be supposed to enter into force by continents owing to the fact that certain Powers have possessions in different continents. As regards Asia, for example, will it be sufficient if His Majesty the King of Great Britain has ratified the Treaty for India?

PART II.—REDUCTION OF ARMAMENTS.

I.—LIMITATION OF NATIONAL EXPENDITURE ON ARMAMENTS.

The Assembly has on several occasions advocated the limitation of armaments, pending the possibility of their reduction as a result of the preparatory work now in progress. With this end in view various recommendations have been voted by successive Assemblies. The last of these recommendations which the Temporary Mixed Commission has examined was made by the Third Assembly and is worded as follows :

"That the European States existing before the war of 1914 under their present description, whose judicial status has not been altered by the war, and which are not, at the moment, engaged in military operations which justify their armaments, be invited to reduce the total of their military, naval and air expenditure to the figures for 1913."

The enquiries of the Temporary Mixed Commission have shown the difficulties of carrying out this recommendation.

The Third Committee has, however, endeavoured to work on the lines laid down for it by the preceding Assembly, the more so as the statistical work of the Secretariat has shown a decrease in army expenditure in the case of most States. It therefore proposes to the present Assembly the adoption of the following resolution :—

"The Assembly :

"Notes with great satisfaction that in the course of the last three years the States Members of the League have, with very few exceptions, been able to reduce their expenditure on armaments ;

"Desires that this fortunate development should become more marked and more general ;

"Recalls the resolutions of the preceding Assemblies concerning the limitation of expenditure on armaments ;

"And requests the Council to recommend to the Members of the League not to exceed, during the period necessary for the elaboration and the adoption of the general scheme for the reduction of armaments, the total expenditure on military, naval and air armaments provided for in the budget of the present fiscal year ;

"Subject to the reservation, however, that allowance shall be made—

"(a) for all contributions of effectives, material, or money recommended by the Council for the execution of the obligations provided for in Article 16 of the Covenant ;

"(b) for all exceptional situations brought to the notice of the Council and recognised by it as such."

II.—STATISTICAL ENQUIRY AND EXCHANGE OF INFORMATION.

From the very beginning, the Temporary Mixed Commission emphasised the importance of statistics in the matter of the reduction of armaments.

In its report to the Second Assembly, the Committee stated that the statistical data to be collected regarding armaments in different countries logically constituted "the only sound basis on which a criterion for dealing practically with the problem of disarmament can rest."

This work has always been considered by the Temporary Mixed Commission as an essential part of the series of preliminary enquiries undertaken with a view to the reduction of armaments. While the study of the Treaty of Guarantee may be considered as an investigation into the method to be adopted, the statistical enquiry would correspond to the investigation of the matter which should form the object of the desired reduction.

The Third Assembly recognised that the object of the statistical enquiry should be "the full military strength of the States," including—

- (1) the actual military strength which is expressed in peace-time armaments and the expenditure on national defence;
- (2) the potential military strength, in which the important element is the industrial and economic power of each State, the military importance of which was proved by the last war.

Having made this declaration, the Assembly nevertheless considered it desirable on grounds of expediency to restrict the scope of the statistical enquiry for the current year to the two following questions:—

- (1) Peace-time armaments.
- (2) Expenditure on armaments.

The two volumes on the statistical enquiry submitted to the Assembly by the Temporary Mixed Commission deal with these two subjects respectively.

It should, however, be noted that the first of these volumes has been prepared on the basis of the tables submitted by the Permanent Advisory Commission and adopted by the Temporary Mixed Commission, which, with the Council's approval, were forwarded to the Governments of all the States Members of the League on 1st March 1923. These tables give statistical data concerning peace-time armaments, as shown in the replies from the following Governments:—

Albania	France	New Zealand
Austria	Great Britain	Norway
Belgium	Greece	Poland (excluding land forces)
Bulgaria	Hungary	Kingdom of the Serbs, Croats and Slovenes
Canada	Italy (excluding aviation)	South Africa
China	Japan	Sweden
Czechoslovakia	Latvia	Switzerland
Denmark	Luxemburg	
Enthonia	Netherlands	

The data have been collected from Volume I. of the Statistical Enquiry.

This collection comprises, in addition, a short *exposé* of the systems of recruitment existing in each country. This latter has been drawn up by the Secretariat from official and public documents according to the Commission's instructions.

Volume II. has been prepared by the statistical specialists at the Secretariat from data obtained from official sources, such as budgets and other official and public documents received from the various countries. The Secretariat has been authorised by the Temporary Mixed Commission to submit this publication to the Assembly. It consists of a series of separate and independent monographs, which show as clearly as it has been possible to do so the expenditure on armaments of each of the countries under consideration and the fluctuations of this expenditure in the years 1921-23.

Two conclusions may be drawn from a study of this publication.

The first, already pointed out by the authors, is that it is impossible to draw comparisons between the expenditure of the various countries without first undertaking a very minute analysis of the profound differences in the methods of administration and systems of public bookkeeping adopted by the various States, and in other circumstances which influence the matter.

The second is that in the majority of cases, when the fluctuation in currency values and in wholesale prices has been taken into account, military expenditure shows a clear tendency to decrease.

Work in connection with the statistical enquiry will this year be undertaken on different lines, and will be more uniform and uninterrupted, as a result of the investigations carried out by the Temporary Mixed Commission in respect of the application of the last paragraph of Article 8 of the Covenant concerning the exchange of information.

In the light of the recommendations of the Temporary Mixed Commission with regard to this matter, the Council adopted the following resolution:—

"The Council, in view of the decision of the Temporary Mixed Commission with regard to the publication of a year-book which would allow the carrying out as from the present time of the intentions of the last paragraph of Article 8 of the Covenant, decides to authorise the Secretariat to publish this year-book, beginning with an experimental volume dealing with the figures for 1923 and developing this publication by degrees according to the experience acquired, it being clearly understood that the information would be drawn solely from official and public documents, and that the programme of the year-book would exactly correspond to the terms of the last paragraph of Article 8 of the Covenant."

These two questions have thus been brought into relation with each other by the Council's decision quoted above.

Henceforward, the statistical enquiry will cover the greatest possible number of countries, and will be defined and limited by the programme for the exchange of information resulting from the last paragraph of Article 8 of the Covenant. It is understood that this enquiry must include the potential military power of States, and therefore their wealth in raw materials and their industrial power. The Secretariat, under the direction of the Temporary Mixed Commission, will collect the information necessary for the publication of the statistical year-book in official and public documents.

Guided by the Council's decision, and with a view to the continuation of the work of statistical enquiry with which the Temporary Mixed Commission has been occupied since the time of its appointment, the Third Committee has adopted the following resolution:—

"The Assembly expresses the approval of the decisions which the Council has taken in connection with the publication of a Year-Book of Statistical Information concerning National Armaments, and recommends that in preparing this volume the Secretariat should take into account the recommendations put forward in the Report of the Temporary Mixed Commission."

III.—PRIVATE MANUFACTURE OF ARMS AND CONTROL OF THE TRAFFIC IN ARMS.

These two questions, which, as the Third Assembly recognised, are closely inter-related, call more and more urgently for international solution. It has been recognised on all sides that a solution is only possible as a result of co-operation on the part of the great producing countries.

The first attempt at solution—the St. Germain Convention—failed, principally because the United States Government found itself unable to ratify the Convention.

At the request of the Third Assembly, the Council again addressed to the United States Government an enquiry as to the conditions upon which it might be disposed to co-operate with the other States with a view to the solution of this serious problem.

It was while the deliberations of the Committee were in progress that the reply from the United States Government was received by the Council and submitted by the latter to the Assembly. This reply reiterates the objections of the United States Government to the St. Germain Convention, but apparently proposes no method and makes no suggestion likely to permit of an international solution of the problem in co-operation with the United States.

The Committee, nevertheless, considered that the League of Nations should persevere in its efforts in a matter of such infinite importance to the cause of international peace.

Taking into account the preliminary work already carried out by the Temporary Mixed Commission and by the Secretariat in this matter, it adopted the two following resolutions, in the hope that they would make it possible to arrive at a solution of the question at an early date:—

(a) *Traffic in Arms*—

"The Assembly recommends that the Temporary Mixed Commission should be invited to prepare a new Convention or Conventions to replace that of St. Germain for the control of the traffic in arms.

"The Temporary Mixed Commission should be requested to draw up the draft Convention or Conventions in such a form that they might be accepted by the Governments of all countries which produce arms or munitions of war.

"The Temporary Mixed Commission should, however, also make alternative proposals for a Convention or Conventions which might be adopted by some of the producing Powers, even if others refused their co-operation.

"The Assembly recommends that the Council should invite the United States Government to appoint representatives to co-operate with the Temporary Mixed Commission in preparing the draft Convention or Conventions."

(b) *Private Manufacture of Arms*:—

"The Assembly recommends that the Council should invite the Temporary Mixed Commission to refer its scheme for the control of private manufacture of arms and munitions to the Economic Committee of the League for its observations; and that it should also endeavour, in co-operation with the Economic Committee, to draw up draft Conventions for this purpose.

"The Assembly recommends that when the Council has received the report of the Temporary Mixed Commission concerning the arms traffic and private manufacture of arms, it should consider the question of summoning an International Conference to draw up conventions on this subject."

IV.—CHEMICAL WARFARE.

The Temporary Mixed Commission has, for the last year, had before it a resolution of the Third Assembly on this subject, the text of which is as follows:—

"(a) The Assembly, having considered the report of the Temporary Mixed Commission on the subject of the development of chemical warfare, approves its action in establishing a special sub-Committee to report on the probable effects of chemical discoveries in future wars, and requests the Council and the Temporary Mixed Commission to take every possible measure to secure the fullest publicity for the report of this sub-Committee.

"(b) The Assembly requests the Council to recommend the Members of the League and other nations to adhere to the Treaty of Washington (6th February 1922) concerning the use of asphyxiating gas and submarines in war, and other similar matters."

As regards the second part of this resolution, the Council decided to put the adherence to the Washington Convention concerning the use of poisonous gas and submarines in war on the agenda of the International Conference for the Limitation of Naval Armaments proposed by the Assembly.

As regards the first paragraph, the Temporary Mixed Commission had appointed, from among its members, a Committee consisting of Lord Robert Cecil, Admiral Segrave, General de Marinis, and Colonel Requin, which, in consultation with eminent bacteriologists and chemists, had been engaged in drawing up the report suggested by the Assembly.

The Third Committee's discussions have again emphasised the importance of this question.

The necessarily inhuman nature of war is intensified by modern discoveries in the domains of chemistry and bacteriology. War being in itself a relentless struggle for life, chemical and bacteriological weapons emphasise the inhuman quality of this struggle, and heighten the dangers of war to such an extent as to threaten the very existence of mankind and civilisation.

It is, however, possible to turn this terrible danger to account by bringing it home to public imagination in order to make the outbreak of future wars even less likely.

The Committee has also discussed a proposal aiming at an extension of the work of the Special Committee to include the study and publication of the means of defence against chemical and bacterio-

logical weapons. The Committee did not feel itself to be in a position so to widen the mandate of the Special Committee, and therefore rejected the proposal.

In conclusion, the Third Committee proposed that the Assembly should adopt the following resolution:—

“The Assembly awaits with interest the report of the Special Committee on the probable effects of chemical discoveries in future wars, and it again requests the Council and the Temporary Mixed Commission to ensure by all possible means the fullest publicity to the report of the Committee.”

V.—THE EXTENSION OF THE PRINCIPLES OF THE NAVAL TREATY OF WASHINGTON TO NON-SIGNATORY STATES.

In the course of its discussions, the Third Committee considered M. Salandra's report to the Council relative to the extension of the principles of the Naval Treaty at Washington to non-signatory States. This report had been approved by the Council at its meeting of 20th September 1923.

In accordance with the terms of this report, the Council requested the Permanent Advisory Commission to enquire into the extension of its technical scheme relating to the application of the principles of the Treaty of Washington to States which had not signed that Treaty, and were not Members of the League. The Third Committee did not pass a specific resolution on this subject, but in its report it places on record the keen interest it takes in this question and expresses the hope that the International Conference summoned to consider the extension of the principles of the Washington Treaty to non-signatory countries, will meet at as early a date as possible and with successful results.

VI.—DRAFT REGIONAL AGREEMENTS FOR THE REDUCTION OF ARMAMENTS.

The Committee has taken note of the chapter in the Temporary Mixed Commission's report relating to the Conference of Santiago and Moscow, to the Convention concluded between five Central American Republics on the limitation of armaments, as well as to the Continental Treaty for the Prevention of Disputes between the American States. The Committee, in its report, thought it advisable to call the Assembly's attention to the good example set by the States of America, which have succeeded in giving effect to an agreement for the limitation of their armaments. This convention belongs to the type of partial agreements which the Third Assembly had already considered and has recommended to the attention of the Council and the Temporary Mixed Commission.

The Third Committee desired to reiterate its confidence in this type of treaty for the purpose of solving the problem of the reduction of armaments in certain special cases and for certain regions of the world, and passed the following resolution:—

“The Assembly,

“In view of Resolution XV. of the Third Assembly concerning the problem of the reduction of armaments,

“Asks the Council to request the Temporary Mixed Commission to consider the possibility of recommending concurrently with the general scheme for the reduction of armaments, the negotiation of draft partial agreements for the same purpose, to be submitted for examination and decision to the Governments of the States Members of the League which are in a special geographical position, and brought to the notice of States not Members of the League.

“These draft agreements might, should opportunity arise, provide for reductions of armaments still greater than those provided for by the general scheme.”

VII.—RENEWAL OF THE MANDATE OF THE TEMPORARY MIXED COMMISSION.

The Third Committee was called upon to consider the organisation of the work of the League of Nations in connection with the reduction of armaments, and more especially the question of the renewal of the mandate of the Temporary Mixed Commission.

After having discussed the matter, the Committee decided to recommend to the Assembly the adoption of the following resolution:—

“The Temporary Mixed Commission shall be invited to continue for a further period of one year the work which it has undertaken, and to submit its report as early as possible before the meeting of the next Assembly.

“The Assembly is of opinion that it is henceforth the duty of the Council to establish direct co-operation with the Governments with a view to formulating the general plan for the reduction or limitation of armaments which, under Article 8 of the Covenant, must be submitted for the consideration and decision of the several Governments.

“The Assembly requests the Council to regulate and co-ordinate the work of the Temporary Mixed Commission and of the Permanent Advisory Commission, in anticipation of the possible expiration of the Temporary Mixed Commission's mandate at the next Assembly.

“The Assembly, having considered the resolution noted by the Second Assembly in regard to the Disarmament Section of the Secretariat, and taking into account the importance of this organisation, is of the opinion that the Secretariat should be requested to re-establish, when circumstances permit, the special directorship of this section which the Second Assembly recognised as necessary.”

ANNEX VIII.—*General Report of the Fourth Committee on Financial Questions.*
 Rapporteur: *M. Cristobal Botella.*

Notwithstanding the coming into force on 1st January last of the Financial Regulations of the League of Nations, and the great activity displayed by the Supervisory Commission since the Third Assembly, the Fourth Committee has again this year had a very heavy agenda.

In order to complete its work as rapidly as possible, it therefore decided, at its second meeting, to form four sub-Committees to report on the following questions:—

- (a) Contributions in arrears;
- (b) Gifts of the Armleder property adjoining the Hôtel National and construction of a Conference Hall;
- (c) Allocation of the expenses for 1924;
- (d) Pensions and cost of living.

The Committee also decided to appoint a general *rapporteur* to draw up a report on the Closed Accounts for the financial year 1922, on the Budget for 1924 and on the various questions raised in the different reports of the Supervisory Commission. Moreover, the chairman of the first three sub-Committees, M. Zahle, Jonkheer van Eysinga and Sir Rennell Rodd, were asked to submit to the Assembly, personally, the reports on the questions laid before their respective sub-Committees, and M. Barboza Carneiro was requested to take charge of the report on Pensions and cost of living.

The Committee desires to thank the members of the four sub-Committees who have greatly facilitated its task by the zeal which they have displayed and by their determination to accomplish speedily the work with which they were entrusted.

I.—REPORTS OF THE SUPERVISORY COMMISSION.

The Supervisory Commission has held four sessions since the Third Assembly. In addition to examining the accounts and the Budget for 1924, it has dealt with all the varied questions which had been submitted to it by the Assembly, by the Council or by the competent officials of the autonomous organisations.

After a statement by M. Osusky, the distinguished Vice-Chairman of the Supervisory Commission, and at his suggestion, the Fourth Committee decided, in conformity with the procedure adopted last year, to proceed to the examination of the different questions on its agenda, utilising the reports of the Supervisory Commission as guide and commentary.

The Chairman of the Fourth Committee expressed to the Vice-Chairman of the Supervisory Commission (in the regretted absence of its distinguished and esteemed Chairman, M. Noblemaire) the warm thanks of the Fourth Committee for all the work which the Supervisory Commission has so efficiently accomplished since the last Assembly. It is largely owing to the accurate and complete documentation provided by the Supervisory Commission that the Fourth Committee has been able to accomplish its work within a relatively short time.

II.—AUDITED ACCOUNTS FOR THE FINANCIAL YEAR 1922.

In consequence of the coming into force of the Financial Regulations of the League, the Fourth Committee has, for the first time since the creation of the League, had to deal with a finance system established on a solid basis and on definite texts, and working smoothly in all its details.

In conformity with the provisions of these Regulations, the Council of the League of Nations at its 23rd session held in January, appointed Commendatore Ceresa, Inspector-General of the Italian Ministry of Finance, to be Auditor of the League of Nations accounts. M. Ceresa, with the assistance of two colleagues, audited, between 14th March and 12th April, the accounts of all the organisations of the League of Nations, and his report, which is annexed to the accounts of the closed fiscal period, contains an admirable statement of the financial situation of the League, in addition to a certain number of suggestions of the greatest value. M. Ceresa was present at the meetings of the Committee and was able to reply in person to certain questions which were addressed to him.

Before entering upon the detailed examination of the audited accounts, the Financial Director of the League of Nations gave a general sketch of the financial organisation of the League. After recalling the decisions of the previous Assemblies in regard to the gold franc, the Working Capital Fund, &c., Sir Herbert Ames pointed out that, in conformity with the Financial Regulations, only two documents dealing with the accounts are now submitted to the examination of the Members of the League, namely, a budget account and a balance sheet.

In a general way, the members of the Committee expressed their satisfaction with the new form of the accounts and with the documents annexed thereto. One member pointed out, however, that, although the new document regarding recoverable advances, unforeseen expenditure and transfers was entirely in conformity with the wishes expressed by the Fourth Committee of the Third Assembly, it would be advisable in future accounts to explain clearly by means of notes those cases in which there appeared to be some divergence between the accounts and the annexed documents; in other cases it would be an advantage if certain details were given in regard to the financial operations which might have been transacted during the course of the financial period concerned. The same speaker asked the Director of the International Labour Office to use the documentation supplied by the Secretariat as a guide in drawing up the Labour Office's reports in regard to accounts.

The Committee heard with interest the Secretary-General's explanatory statement in reply to an observation made by the Auditor, regarding the fact that all the credits for unforeseen expenses should be included under one item. The Supervisory Commission had decided, at its May session, not to modify the decisions of the previous Assemblies to the effect that the unforeseen expenses of each organisation should be met by a separate credit. The advantage of this system is that it is possible to ascertain the exact cost of each of the organisations of the League of Nations.

The Committee also took note of the explanation given by the Vice-Chairman of the Supervisory Commission in regard to the International Labour Office's continued use of the commercial system of accountancy as an auxiliary method. It would in fact be difficult to draw up the balance sheet laid down by the Financial Regulations if the governmental system of accountancy alone were employed.

III.—BUDGET.

On several occasions the Committee emphasised that it would be an advantage if the budgets of the autonomous organisations of the League of Nations were made to conform as far as possible to the form adopted by the Secretariat for its budget.

The present report will only indicate the general observations which the Fourth Committee wished to formulate when it examined the budget of the principal organisations of the League. The discussions, in the course of which several useful and important suggestions were made, will be found in the minutes of the Committee and the details of the modifications made in the credits contained in the Budget figure in the table annexed to the present Report (Annex 1).

The Budget, as submitted to the Assembly, amounted to 24,870,570 gold francs; the reductions effected by the Fourth Committee represent 1,771,804 gold francs (1,743,995 francs and 13,350.—florins); on the other hand, the supplementary credits amount in all to 229,920 francs. A net reduction of 1,636,934 gold francs having been effected (including the deduction of the credit balance of the previous financial periods, amounting to 95,050 gold francs), the amount to be allocated now amounts to 23,233,636 gold francs, including a credit of 2,077,774 gold francs in respect of the Working Capital Fund. The budget of *expenditure*, amounting to 21,250,912 gold francs, is reduced by 3,922,596 gold francs, *i.e.*, 15½ per cent., as compared with the budget of expenditure for the 1923 fiscal period.

While the Secretary-General and the Director of the International Labour Office have undertaken to continue to pursue a policy of economy and to endeavour to submit to the next Assembly budgets showing, if possible, further reductions which it was not possible to effect this year in the short time available, certain speakers pointed out that they would oppose any reduction likely to hamper the satisfactory working and the essential activities of the League of Nations; they also stated that they reserved the right to propose at a later date an increase in certain credits, or at all events not to oppose such an increase.

Finally, the Fourth Committee is of opinion that the reductions made in the Budget will not adversely affect the essential work of the League of Nations. It is, however, of opinion that it would be difficult to effect further economies without endangering the very existence of the League.

A.—Budget of the Secretariat.

Notwithstanding the considerable reductions already effected by the Supervisory Commission, which are shown in its second annual report, the Fourth Committee decided, at the suggestion of the French Delegate, M. Réveillaud, to ask the Supervisory Commission to consider and to submit, as soon as possible, a new programme of important reductions, drawn up in agreement with the Secretary-General.

After dissociating himself from the unjust and sometimes malicious attacks which had recently been made on the League of Nations, the French representative explained that the French Government considered that a serious reduction should be effected in the Budget of the Secretariat; his Government fully appreciated the work of the Supervisory Commission, but considered that last May the latter was not in a position to make sufficiently important reductions, for the good reason that it had no authority to demand them.

The Vice-Chairman of the Supervisory Commission and the Secretary-General having agreed to the text of the proposal submitted by the French representative, the Committee, by a large majority, adopted the following resolution:—

“The Fourth Committee, considering that, in view of the exceptional financial difficulties with which most of the States are faced, a policy of strict economy and reduction is necessary in all departments of the Secretariat, and particularly in the special organisations of the League;

“Having full confidence that the Secretary-General will assist it in carrying out this policy;

“Entrusts to the Supervisory Commission, at present in session, the duty of considering the question and of submitting as soon as possible a programme of considerable reductions drawn up in agreement with the Secretary-General.”

In presenting its report, proposing further economies amounting to more than one and a half million gold francs, the Supervisory Commission submitted the following considerations to the appreciation of the Fourth Committee:—

“(a) It is very difficult to draw up in the month of April a budget for the following year, especially in the case of a new organisation such as the League of Nations, which has to deal with questions subject often to very rapid modifications;

“(b) The financial and executive administration of the League is continually being studied by the Supervisory Commission, but the time which has elapsed between the month of May and the month of September has not been sufficient to justify any modification in the items fixed in May after very careful consideration, except on the following grounds:—

“(1) In several cases it proved possible to make reductions owing to changes in circumstances since the Budget was prepared; in other cases, the experience gained during the last four months showed that reductions could be made without endangering the work, whilst in still other cases it had been found possible to obtain more favourable conditions from contractors.

“(2) In view of the necessity so clearly expressed in the Fourth Committee, the Supervisory Commission thought it advisable, in the case of technical organisations, to postpone certain work the execution of which, although approved either by the Assembly or the Council, did not appear to the Committee to be essential during 1924.”

• As soon as the report of the Supervisory Commission came before the Fourth Committee, the latter proceeded, in accordance with the method adopted by the first three Assemblies, to a detailed examination of the different articles of the Budget. (See Annex 1 for details of the reductions effected.)

In a general way, the Committee was satisfied with the general arrangement. However, one member pointed out that it would perhaps be well, in future Budgets, to arrange differently the chapter concerning special organisations. He pointed out, in particular, that the distinction between the headings A and B was hardly logical, and that certain organisations appearing under the heading "Temporary Organisations" were really more of a permanent character.

Several speakers pointed out the danger of a too rapid development of the technical organisations, whose activity, if extended too far, might exceed the limits fixed by the provisions of the Covenant.

At the request of a member of the Committee, the Vice-Chairman of the Supervisory Commission promised to follow closely, in all its aspects, the question of the expenditure of the Library. In the opinion of this member, it would appear desirable to substitute for the American methods a simpler organisation that would make it possible to effect further reductions in the staff.

The Secretary-General promised to consider with the Supervisory Commission the question of the status of the interpreters of the Secretariat. A certain number of members of the Fourth Committee thought that it should be possible for interpreters to be promoted to a higher category.

After a prolonged discussion, the Committee adopted the following resolution regarding the proposal for supplementary credits for the Commission on Intellectual Co-operation:—

"In adopting the supplementary credits, amounting to 14,920 francs, asked to render possible the creation of an International University Information Bureau, the Fourth Committee does not intend to abandon the policy of budgetary reductions which it has been obliged to adopt this year.

"It is therefore understood that, if the Bureau should develop during the next three years (1924 to 1926), the necessary funds should be obtained from private or public contributions, in order that the Budget of the League of Nations should not be increased."

After discussing the estimates of the High Commissariat for Refugees (Russian Section) the Committee adopted the following recommendation:—

"The Fourth Committee requests the Secretary General to address an appeal to the Governments of the countries among which most of the Russian refugees are distributed and where the High Commission has appointed agents, with a view to the establishment of national committees similar to those which have been set up in the Kingdom of the Serbs, Croats and Slovenes, for the purpose of facilitating the task of the High Commission and of enabling its organisation to be reduced."

B.—Budget of the International Labour Organisation.

After the Director had explained the circumstances which had led the Governing Body to submit a greatly reduced Budget, the Committee, after a careful examination, but without making any changes, approved the estimates as submitted to it.

The Committee adopted M. Réveillaud's proposal to the effect that the number of chapters in the Budget of the International Labour Organisation should be reduced to four, namely:—

- (1) Sessions of the Conference and of the Governing Body.
- (2) Services of the Secretariat.
- (3) Loss on exchange.
- (4) Capital expenditure.

By this decision the Fourth Committee was able to settle the difference which had appeared between the point of view of the Governing Body of the International Labour Office and that of the Supervisory Commission as regards the application to the International Labour Organisation of Article 29 of the Financial Regulations. The members of the Fourth Committee unanimously recognised that the provisions of the Financial Regulations relative to transfers must necessarily be applied to the Labour Organisation, whose Budget could not be considered as a single chapter of the general Budget of the League of Nations. The adoption by the Committee of M. Réveillaud's proposal would, in fact, enable the Governing Body to meet all contingencies, since, in the future, the majority of the items, including the one concerning Unforeseen Expenditure, would be included in the second chapter of the Budget of the International Labour Organisation.

C.—Budget of the Permanent Court of International Justice.

The Supervisory Commission noted a statement by the Registrar of the Permanent Court of International Justice (whose Budget also is reduced as compared with that for 1923) undertaking to consider whether reductions might not be made in the salaries paid to the temporary staff.

As regards the contribution to the Carnegie Foundation, the Committee noted that the Foundation accepted a reduction of 20 per cent. for 1924. At the end of this period, exact figures as to the expenditure actually incurred will be submitted, and the League of Nations will be asked to pay the amount arrived at, even if it should exceed 40,000 florins, the new total inserted in the Budget for 1924.

IV.—MISCELLANEOUS QUESTIONS.

(a) The Committee took note of a suggestion made by the eminent British Delegate to the effect that the Supervisory Commission might be authorised, if necessary, to avail itself of the services of specialists on financial or administrative questions.

(b) The Committee asked the competent officials of the autonomous organisations to prepare in future, as they had done this year, a statement of new work involving the League of Nations in new expenditure. One of its members, however, was of the opinion that it would be desirable in future, in order to give full effect to the resolution of the Third Assembly, to inform the Assembly not only of new work which might involve expenditure, but also of new work not involving immediate expenditure, or work which might lead to expenditure in the future, even though for the present it was not of a nature to entail expenditure.

(c) The Committee took note of the statement prepared by the Secretary-General with regard to the financial situation of the League.

(d) The Committee decided to recommend that the Supervisory Commission should examine the question of the documents to be included in the *Official Journal*. It appeared, indeed, to one of its members that it was important that the *Journal* should contain all important documents.

(e) The Committee decided to refer to the Sub-Committee on Allocation of Expenses, for consideration and report, a proposal to grant partial and temporary relief to Japan in respect of her contribution to the League.

The Committee unanimously agreed that the frightful catastrophe so deeply regretted by the whole world, which had just befallen that great country, should necessarily be followed, in accordance with the principle laid down by the last Assembly, by a temporary reduction of its contributions to the Budget of the League of Nations. The proposal subsequently adopted by the Committee is given in the report on the Allocation of Expenses for 1924.

(f) After careful examination, the Committee adopted, upon the Report of the Supervisory Commission, a certain number of amendments to the Financial Regulations. (See Annex 2.)

(g) The Committee adopted the recommendations of the Supervisory Commission regarding the institution of a Salaries Adjustment Committee to determine the variations to be made in the salaries of the Registry of the Court, as well as the creation in the Secretariat of an intermediary class, the salaries of which would be smaller than those paid to Members of Section, Class B.

(h) On the proposal of M. Barboza-Carneiro, the Committee adopted the following recommendation:—

“The Fourth Committee, considering that every effort should be made with a view to keeping down expenses, invites the Secretary-General and the Director of the International Labour Office to examine the possibility of obtaining from the competent authorities a reduction in postal and telegraph rates for official letters and parcels of the Secretariat and the International Labour Office.

“They are also requested by the Committee to open negotiations with transport companies, both by land and by sea, in order to obtain reduced rates for the officials of the League as well as for the persons travelling on official business in connection with the League. The Committee expresses the desire that a report should be made to the Fifth Assembly on the action taken as a result of this proposal.”

(i) The financial position of the League of Nations was considered in a number of useful and instructive debates. The Fourth Committee was glad to note that the cash in hand was greater this year than at the same time last year, and that in general the contributions of the Members of the League had been paid more promptly and more regularly than in 1922. This improvement may be largely attributed to the new scale adopted by the Third Assembly.

Although progress has been made, the situation is far from being entirely satisfactory; the scale of allocation is not definitive as long as the financial position of the League of Nations may present difficulties. Again, since the Budget has been considerably reduced, it will not be easy to effect economies during the course of 1924 in order to cover the deficits due to delays in the payment of contributions by the Members of the League. While it may be anticipated that the League will have a considerable cash surplus at the beginning of 1924, it is probable that the situation will again be less favourable at the end of the year and especially at the beginning of 1925.

It is for this reason that, at the unanimous request of the Supervisory Commission, and in spite of the desire expressed by several members of the Fourth Committee to strike out altogether the credit for a new contribution to the Working Capital Fund in the 1924 Budget, the Fourth Committee has decided to insert in the 1924 Budget a large sum as a definitive contribution to the Working Capital Fund.

(k) This Report of the Fourth Committee would not be complete if it did not express the unanimous thanks of the Committee to its distinguished Chairman, as well as to its Vice-Chairman, M. Adatei.

If the Committee has been able to complete its work in a relatively small number of meetings, this success is largely due to the persuasive firmness, ability and zeal of M. Nintchitch.

In conclusion, the Fourth Committee wishes to express its appreciation of the admirable manner in which the high officials of the Secretariat, and especially the Secretary-General, have aided it in its work.

Since the First Assembly, the Members of the Fourth Committee have learned to know the engaging personality of Sir Eric Drummond, and all the delegates who are constantly in close relations with him are aware of the zeal, intelligence and ability with which he discharges the difficult duties entrusted to him. By co-operating loyally with the Supervisory Commission and with the Fourth Committee in effecting economies, he has greatly facilitated our task, and the Committee is profoundly grateful to him.

The Committee also wishes to express its gratitude to M. Albert Thomas and to his devoted colleagues. In adopting the Budget of the International Labour Organisation in the form in which it was presented by the Governing Body and the Supervisory Commission, the Fourth Committee desires to express the hope that the large reductions which have already been made in it will not be such as to affect adversely the valuable work which was assigned to the Office under the Treaties, and the great importance of which the Fourth Committee would be the first to recognise.

The estimates of the Permanent Court of International Justice were presented to the Committee by the Registrar of the Court, M. Hammarskjöld; the Committee could hardly avoid referring to the zeal and the ability of this official of the League.

The Fourth Committee further wishes to express its thanks to the very able Financial Director of the League of Nations, and his assistants, and also to the various officials, secretaries, interpreters, translators and stenographers who, by their zeal and readiness, have enabled it to complete its work so rapidly.

ANNEX I.

AMENDMENTS TO THE BUDGET ESTIMATES INTRODUCED OR APPROVED BY THE
FOURTH COMMITTEE.

I.—SECRETARIAT AND SPECIAL ORGANISATIONS OF THE LEAGUE		Reductions.	Increases.
(including supplementary estimates.)		Frs.	Frs.
1.	Sessions of the Assembly - - - - -	109,500	—
3a.	Salaries of Secretariat at Geneva - - - - -	97,568	—
3b.	House Staff at Geneva - - - - -	3,215	—
4.	Latin-American Liaison Office - - - - -	1,924	—
6.	Frais de Representation - - - - -	26,540	—
8.	Publications Department - - - - -	78,750	—
11a.	Interest Charges :		
	Bank Account (net) - - - - -	30,000	—
13.	Unpaid Liabilities Fund - - - - -	35,000	—
15.	Administrative Commissions and Minorities Questions - - - - -	35,786	—
16.	Economic and Financial Organisation - - - - -	314,924	—
17.	Mandates - - - - -	2,607	—
18.	Transit Organisation - - - - -	89,995	—
19.	International Health Organisation - - - - -	59,026	—
20.	Social Questions : Traffic in Women and Children, Supervision of Opium Traffic, &c. - - - - -	3,954	90,000
21.	Reduction of Armaments :		
	(a) Permanent Organisation - - - - -	44,506	—
	(b) Temporary Organisation - - - - -	51,200	—
22.	International Blockade Committee - - - - -	50,000	—
23.	Commission for the Protection of Women and Children in certain territories in the Near East - - - - -	—	75,000
24.	International Bureaux and Committee on Intellectual Co-operation - - - - -	12,000	14,920
25.	High Commissariat for Refugees (Greek Section) - - - - -	—	50,000
27.	Loss on Exchange - - - - -	100,000	—
	Total increase - - - - -	—	229,920
	Total reduction - - - - -	1,146,495	—
	Net reduction - - - - -	916,575	—
II.—INTERNATIONAL LABOUR ORGANISATION.			
Chapter.			
II.	3a. Salaries : Reduction due to fall in cost of living - - - - -	110,000	—
	Appropriation in aid : Receipts from sale of publications - - - - -	45,000	—
	Net reduction - - - - -	155,000	—
III.—PERMANENT COURT OF INTERNATIONAL JUSTICE.			
Chapter.		Florins.	
III.	16c. Overtime pay - - - - -	1,850	—
	18b. Overtime pay - - - - -	1,000	—
IV.	25b. Journey to native country - - - - -	500	—
V.	27. Contribution to the Carnegie Foundation - - - - -	10,000	—
	Net reduction - - - - -	13,350	—
	In francs - - - - -	27,809	—
IV.—WORKING CAPITAL FUND.			
Chapter.			
I.	Definitive contribution to the Working Capital Fund - - - - -	442,500	—
	Net reduction - - - - -	442,500	—
SUMMARY.			
I.	Secretariat and Special Organisations of the League - - - - -	229,920	1,146,495
II.	International Labour Organisation - - - - -	—	155,000
III.	Permanent Court of International Justice - - - - -	—	27,809
IV.	Working Capital Fund - - - - -	—	442,500
	Total reduction - - - - -	1,771,804	
	Total increase - - - - -	229,920	
	Net reduction - - - - -	1,541,884	
	Original budget - - - - -	24,870,570.41	
	Budget adopted by the Fourth Committee - - - - -	23,328,686.41	
	Deduct :		
	Surplus from previous financial periods - - - - -	95,050.71	
	Amount to be allocated between the Members of the League	23,233,635.70	

ANNEX 2.

AMENDMENTS TO THE REGULATIONS FOR THE FINANCIAL ADMINISTRATION OF THE LEAGUE OF NATIONS, PROPOSED BY THE FOURTH COMMITTEE AND ADOPTED BY THE ASSEMBLY.

• (The amendments have been incorporated in the Regulations printed on page 42 *et seq.*)

Article 1.—Add the following new clause to para. 2 of Article 1 :—

• “The Council shall also appoint two substitutes to replace, if need be, members unable to attend a meeting.”

Article 3.—Amend the first clause of this Article to read as follows :—

• “The Commission shall hold its sessions at Geneva, or, exceptionally and subject to the condition that greater expenditure will not be incurred at such other place as may be decided by a vote of its members.”

Article 6.—Amend to read as follows :—

“All organisations of the League, autonomous and non-autonomous, and all temporary organisations hereafter created under the auspices of the League, whether their expenditure is or is not, in whole or in part, met out of the votes of the Assembly, shall comply with these regulations and with every decision of the Assembly governing financial and budgetary administration.”

Article 16.—Add the following new paragraphs :—

“5. A short session of the Supervisory Commission shall be held each year during the meeting of the Assembly.

• “6. It shall be the duty of the Commission at this session to examine all amendments to the budget.

“7. The estimates in their final form shall be considered and reported upon by the Supervisory Commission before their submission to the Financial Committee of the Assembly.”

Article 19.—Add the following new paragraph 3 :—

“ (3) In the cases contemplated by sub-para. (b) and (c) of para. 2, before the proposed credits are considered by the Finance Committee they shall be submitted to the Supervisory Commission, which shall report thereon. The Supervisory Commission shall in the first place consider whether a proposal for additional expenditure can be adopted or whether it would not be advisable to postpone such expenditure.”

Article 23.—Amend as follows :—

• “Receipts other than contributions payable by Governments, such as receipts from the sale of publications and other miscellaneous sources, and interest, shall, as far as possible, be estimated in advance and be deducted, as appropriations in aid, from the estimates put forward in the budget.

• “A summary of such receipts, if any, arising under each part of the budget shall be set out as an appendix to the part under which they arise.”

New Article 23 (b) :—

• “1. Gifts which may directly or indirectly involve an immediate or ultimate financial liability for the Members of the League may only be accepted after authorisation by the Assembly.

• “2. Gifts not involving any financial liability for the Members of the League may be accepted by the Council or, where offered to an autonomous organisation, by the competent authority of the organisation, if the Council or the authority is satisfied that acceptance will not undesirably affect the general character of the League or the special organisation in question, and is in accordance with the general policy which should be pursued.”

Article 29.—Add following new para. 2 :—

“2. Except as provided in Article 33, no transfer other than those mentioned in para. (1) above shall be made.”

Article 30.—Amend the first paragraph to read as follows :—

“1. Payments in respect of transactions for which provision is made in the budget of the particular year, and which take place before 31st December of that year, may be charged to the accounts of that year if they are made not later than 15th February of the following year.”

Article 31.—Amend para. 2 as follows :—

• “2. The sums paid by Members of the League since 10th January 1920, for the purpose of constituting or augmenting the Working Capital Fund shall be carried to the credit of the Members which have paid such sums.

• “3. The Assembly may liberate all or part of the sums constituting the Working Capital Fund, and the sums so liberated shall be returned to the Members which have contributed to the Fund in proportion to their respective contributions.

“4. Subject to a decision of the Assembly, the States which for any reason cease to be Members of the League shall be entitled to the reimbursement of the total amount of their contributions to the Working Capital Fund.

“5. Members joining the League after 15th November 1920 are entitled to increase their contributions to the Working Capital Fund or to contribute thereto in the proportion of payments made by other Members, even if the Working Capital Fund reaches the maximum limit fixed for it. This provision shall be communicated by the Secretary-General to all the Members which entered the League after 15th November 1920.”

Article 33.—Add the following new para. 4 :—

• “4. Sums drawn from the Working Capital Fund by way of recoverable advances under the terms of para. (2) above, but which the Council subsequently decides cannot, in fact, be recovered, shall be repaid to the Fund, either by means of a transfer approved by the Council from some other part of the Budget for the current year or by means of a specific vote for the purpose in the Budget for the year following that in which they were declared by the Council to be irrecoverable.”

Article 36.—Add the following new para. 3 :—

“3. There shall be attached to the accounts as annexes : a memorandum showing for the past financial year the resolutions of the Council with reference to : (a) any recoverable advances made from the Working Capital Fund; (b) any advances originally thought to be recoverable and ultimately considered by the Council to be irrecoverable; and of the competent authority with reference to; (c) any expenses borne on a vote for unforeseen expenses incurable only by special resolution of a competent authority; (d) any transfers made in the Budget.”

New Article 38 (a) :—

“The difference between the actual receipts and the expenditure for each completed financial year shall be entered in the Budget of the second year following. If the difference constitutes a credit balance, it shall be used to effect a corresponding reduction of the sum to be collected from the Members of the League by way of contribution for the year in the Budget of which it is entered; if the difference represents a deficit, the sum to be contributed by Members of the League for such year shall be increased by the amount of the deficit.”

ANNEX IX.—Report of the Sub-Committee of the Fourth Committee on the Question of Contributions still unpaid. (Rapporteur: M. Herluf Zahle.)

The Fourth Committee instructed a sub-Committee to consider the question of unpaid contributions for all financial periods of the League previous to 31st December 1922. This sub-Committee consisted of—

M. Herluf Zahle (Denmark).	M. Raoul M. Amador (Panama).
Sir Neville R. Howse (Australia).	H.H. Prince Charoon (Siam).
M. Cristobal Botella (Spain).	M. Jonas Eliel Lofgren (Sweden).

M. Herluf Zahle was appointed Chairman and *Rapporteur*.

The sub-Committee submitted a report to the Committee. The Committee accepted this report and suggested that it should be adopted by the Assembly.

In view of the fact that the delicate question of contributions in arrears could not be settled without the friendly assistance of the delegations of those countries the payment of whose contributions is in arrears, the sub-Committee ventured to apply to each of those delegations, requesting it to appoint a representative to inform the sub-Committee of the reasons for the delay. The Committee desires to thank the various delegations for the readiness with which they responded to this request.

The countries whose contributions are in arrears may be classified in three distinct groups. The first group consists of States which base their claim to be released from the obligations to pay their arrears on grounds of law or equity. The second group consists of countries whose exceptional position necessitates a reduction in the sums still outstanding. The last group includes States whose payment of contributions has been delayed by more or less serious temporary financial difficulties, or by differences due to the rate of exchange, but whose position did not call for any reduction in the amount of their arrears.

After careful consideration of the reasons brought forward by the States in the first group, the Committee decided that it was undesirable to press for the payment of the arrears due by them. As regards countries in the second group, the Third Assembly requested the Secretary-General to propose that the Supervisory Commission should put forward the solution which appeared best suited to the exceptional position of such countries. The solution proposed by the Secretary-General consisted in applying the reduced 1923 scale to the arrears of these States, the payments to be spread out over a number of years. The Committee approved this proposal and also the extension of the arrangement so as to include Paraguay and Austria. The representatives of the majority of the States belonging to the last group pointed out that their countries intended to discharge their obligations to the League of Nations as soon as possible.

The Committee desires to point out that the arrangements which it recommended are in conformity with the proposal adopted by the Third Assembly in regard to this matter. Moreover, it is certainly necessary, if the finances of the League are to be restored to a healthy condition, that sums which are clearly uncollectable should be withdrawn from the balance sheet of the League, since it can only convey a false idea of the financial position of the League to consider, as part of the assets, amounts which will never be recovered.

The Committee therefore recommends that the sums mentioned below should be struck out of the accounts of the League :—

	Total payable on 1st Sept. 1923.	Total after pro- posed reduction of sums owing.	Loss to the League.
	Gold Francs.	Gold Francs.	Gold Francs.
Salvador - -	344,352.34	60,850.—	283,502.34
Nicaragua - -	309,120.—	55,326.58	253,793.42
Honduras - -	309,120.—	55,326.58	253,793.42
Guatemala - -	309,120.—	25,618.—	283,502.—
Costa Rica - -	246,360.—	44,622.81	201,737.19
Paraguay - -	309,120.—	25,618.—	283,502.—
Austria - -	396,335.76	30,359.—	365,976.76
South Africa - -	1,286,642.23	607,695.23	678,947.—
Poland - -	404,534.—	—	404,534.—
	3,914,704.33	905,416.20	3,009,299.13

The sub-Committee is of opinion that the Supervisory Commission and the Auditor should be left to select the best method of entering in the books of the League, the successive sums to be collected out of the amounts due after the proposed reduction of arrears.

ANNEX X.—Report of the Sub-Committee of the Fourth Committee on the Allocation of Expenses of the League. (Rapporteur: Sir Rennell Rodd.)

In accordance with the practice adopted in previous years, the Fourth Committee of the Assembly appointed a sub-Committee to consider the question of the allocation of the League's expenses.

The first duty imposed upon the sub-Committee was to consider applications which had been received from more than one group of delegates, who were dissatisfied with the allocation of their country under the provisional scale adopted by the Third Assembly, to be allowed to send a representative to take part in the deliberations of the sub-Committee. Its members were unanimously of opinion that such a request, which would have to be referred to the Fourth Committee in a plenary meeting, should not be pressed. If it were entertained it would be difficult to refuse the same privilege to other Delegations which might prefer similar requests, and the sub-Committee would be in danger of losing its essential character. There were also certain questions which might have to be discussed with a sub-Committee of the First Committee. It was desirable, therefore, to preserve parity of numbers between the two sub-Committees, which would both consist of six members. All Delegations, however, which desired to place their views before the sub-Committee would, on their expressing a desire to be heard, be invited to depute a member of their Delegation for the purpose. In view of these arguments and assurances, the States in question did not press their application.

The sub-Committee then proceeded to discuss the report of the Allocation Committee (A. 23, 1923, II.). M. Réveillaud, who had presided over its deliberations, was invited to attend and offer any further observations which might be of assistance. He emphasised the reasons which had made it impossible up to the present time to submit a proposal for a definite scheme and these appeared to your sub-Committee to be convincing. A unanimous decision was taken: (a) to recommend the report of the Allocation Committee for approval by the Fourth Committee; (b) to recommend that the provisional scale adopted by the Third Assembly should be maintained for another year, modifications therein being only entertained in special cases of absolute necessity; and (c) to recommend that the Allocation Committee should continue its work with a view to establishing a definite scale. It must be emphasised that, so long as the definitive scale is not established, the difficulties which the sub-Committee experienced this year will continue to present themselves.

The Allocation Committee had also given unofficial consideration to the number of units which should properly be assigned to the Irish Free State, in the event of its joining the League of Nations. Following the principles hitherto observed in determining such questions, the Allocation Committee had expressed the opinion that the contribution would equitably be represented by 10 units. It was submitted that these 10 units, which had hitherto been included in the 95 assigned to the British Empire, should equitably be deducted from those 95, which would then be reduced to 85. At the same time, as the entry of the Irish Free State would entail certain new obligations on the League which might be estimated in terms of three units, it was recommended that only seven and not 10 units should be deducted from the total of the British Empire. These suggestions were approved by the sub-Committee.

The Delegates of the Irish Free State were invited to attend and offer any comments they might have to make on the amount of their assessment. They cordially expressed their readiness to accept the suggested provisional allocation, which the sub-Committee recommended for adoption.

The sub-Committee further recommended that, should Abyssinia and the Hedjaz become members of the League, their units should be two and one respectively.

The sub-Committee then discussed with representatives of the First Committee appointed for the purpose, M. Limburg and Baron Marks von Würtemberg, the actual juridical aspect of the allocation of the expenses of the League. The Second Assembly had decided to amend the final paragraph of the Covenant, which applies the scale of the Universal Postal Union, and to replace it by a paragraph to the following effect: "The expenses of the League shall be borne by the Members of the League in the proportion decided by the Assembly."

This amendment has received the ratification of a majority of the States Members, but it also requires, in order to come into effect, the ratification of all the States which are represented on the Council. The ratification of one of these is still wanting and it can hardly now be anticipated that it will be received during the present session of the Assembly.

In default of such ratification, it is necessary to continue the system adopted last year of a provisional scale accepted by common consent in a unanimous vote of the Assembly. It may be contended that this system has no juridical value. But it offers the only means of escaping from the application of the scale of the Universal Postal Union, which has been shown to entail manifest injustices.

If and when the ratification of the amendment to Article 6 is completed, the Assembly will fix a scale of allotment, which will then have juridical value. Unanimity will, however, still be necessary for its acceptance, as there is no provision for modifying in decisions of this nature the necessity for unanimity, which is required by Article 5 of the Covenant.

The establishment of a provisional scale for 1924 was not in the terms of reference of the Allocation Committee, and it would therefore seem that it was assumed that the provisional scale for 1923, as it had been amended, would be maintained until a definite scale had been approved.

The sub-Committee studied the representations made both in writing and orally by delegates of the relatively small number of States which had appealed against the allocation assigned to them for 1923. They were five in number.

The position adopted by Persia is somewhat different from that of the other Delegations who have advanced claims for reductions and therefore demands special mention. The scale of Persia was reduced for 1923 from 10 units, at which it had originally been fixed, to six. The Persian Delegate represented that the value of these six units (163,179 gold francs in 1923) exceeded the amount which the Persian

Parliament had voted and was prepared to vote again, namely, 125,000 gold francs. This they regarded as a maximum. The fact that the money value of the unit varied every year and could not be ascertained until the budget was established had not shaken the decision to limit the Persian contribution to that maximum. He had consequently at the last Assembly refrained from voting in favour of the provisional scale, but had not stood in the way of its acceptance by directly opposing it. It would only be possible, by reducing still further the number of units assigned to Persia, to bring her contribution within the maximum sum which, as the sub-Committee understood, the Persian Government regards as having been laid down when she entered the League of Nations.

The sub-Committee was unanimously of the opinion that it would be very dangerous to admit as a precedent the principle that any State entering the League should establish a maximum amount for its own contribution without regard to the inevitable variability of the unit from year to year. The question of whether, in spite of the reduction of units from 10 to six, the allocation of Persia was still too high might be referred to the Allocation Committee for consideration, but the sub-Committee did not feel able to recommend any reduction in the present assessment on the plea which had been advanced.

The other representations which the sub-Committee had to consider were made by the Delegations of India, Greece, Hungary and Roumania, in some cases on account of assessments regarded as unduly high and in others because of exceptional circumstances justifying a plea for reduction. In certain instances the sub-Committee was of opinion that a good case had been made out for some reduction in the number of units assigned. The members were, however, extremely reluctant to recommend any modifications in the provisional scale, which had been approved by the Third Assembly. They had reason to believe that if the principle of modification were admitted for 1924 other Delegations might also advance claims and that they had only refrained from doing so on the assumption that the existing scale would be maintained for another year. There were only two ways in which reductions could be contemplated:—

- (a) Reductions could be made in favour of certain countries by corresponding increases to the disadvantage of others.
- (b) Reductions could be made with the units available consequently on the entry of new members to the League, either in favour of specific countries, or in an all-round diminution of the value of the unit.

The first method would encounter manifest difficulties and probably considerable opposition. It was, moreover, rather for the Allocation Committee in the first instance, after due study, to make proposals for any such readjustment. That body was not in session, and in any case it would hardly be possible to arrive at any satisfactory conclusion during the brief period for which the Assembly would still be sitting.

The sub-Committee therefore unanimously decided to recommend that, with one exception in a case already decided by the Fourth Committee and referred to hereafter, no modification should be adopted for 1924 in the provisional scale agreed to by the Third Assembly. At the same time the various pleas for reductions which have been advanced should be referred to the Allocation Committee for a report and for possible eventual readjustments in the provisional scale, if it should prove to be impossible to prepare a definite scale for submission to the Fifth Assembly.

While the sub-Committee, after due consideration, had little doubt that this was the safest line to follow, it felt bound to submit to the Fourth Committee that an alternative course was possible and that the extra units now accruing to the League through the accession of new members might be utilised to give some satisfaction to the most urgent claims for relief. Unfortunately, at the moment of preparing this report, the question of the admission of Abyssinia and the Hedjaz to the League has not been finally determined, and it is not certain whether more than three units (those resulting from the entrance of the Irish Free State) will be available for the purpose. The sub-Committee considered that Roumania had made out the strongest case for reduction, and if the available units were to be so utilised, Roumania should therefore benefit to the extent of two. The third should, in the opinion of the sub-Committee, be utilised provisionally to diminish the contribution of Greece, in view of her having upwards of a million refugees to provide for. Should any further units become available, these the sub-Committee considered might possibly be distributed in the same ratio.

The allocation of Japan forms an exception to the general recommendation of the sub-Committee to maintain the provisional scale unaltered for the year 1924. It has already been unanimously decided by the Fourth Committee to submit to the Assembly a sensible reduction in the contribution of Japan to the expenses of the League as a mark of sympathy of all the States Members in the overwhelming catastrophe which has overtaken her. The sub-Committee was directed to consider the best means of giving execution to that resolution.

The sub-Committee accordingly recommended unanimously that the number of units assigned to Japan should temporarily be reduced by 12, from 73 to 61. This will place Japan in a position similar to that of Italy after the reduction accorded her on account of the devastations of war. It is proposed that these 12 units shall be deducted from the total number. This deduction will entail an increase of slightly over 1 per cent. in the contribution of every Member of the League.

The sub-Committee proposed that, in the case of the Argentine, the precedent adopted in 1923 should be followed and that 35 units should be maintained and entered as the proper allocation under the provisional scale for 1924, but that these units should not be counted in the total on which the contribution of the Member States is assessed.

After full consideration of the report of the sub-Committee and after hearing representations made by certain delegates that the allocation of the countries which they represented was unduly high, the Fourth Committee decided to adopt the alternative proposal referred to above. It recommends, therefore, that the extra units accruing to the League from the adhesion of new Members should be utilised to give satisfaction to the most urgent claims for relief and that the distribution of these extra units should be left to the Allocation Committee.

SCALE FOR THE ALLOCATION OF THE EXPENSES OF THE LEAGUE FOR THE YEAR 1924.

States.	Units.	States.	Units.
Abyssinia	2	Japan	73 - 12 = 61
Albania	1	Latvia	5 - 2 = 3
Argentina	(35)	Liberia	1
Australia	26	Lithuania	5 - 1 = 4
Austria	1	Luxemburg	1
Belgium	20 - 5 = 15	Netherlands	20
Bolivia	5	New Zealand	10
Brazil	35	Nicaragua	1
British Empire	95 - 7 = 88	Norway	11
Bulgaria	7	Panama	1
Canada	35	Paraguay	1
Chile	15	Persia	10 - 4 = 6
China	65	Peru	10
Colombia	7	Poland	25
Costa Rica	1	Portugal	10
Cuba	9	Roumania	40 - 9 = 31
Czechoslovakia	35	Salvador	1
Denmark	12	Kingdom of the Serbs, Croats and Slovenes	35 - 9 = 26
Estonia	5 - 2 = 3	Siam	10
Finland	10	South Africa	15
France	95 - 17 = 78	Spain	40
Greece	10	Sweden	18
Guatemala	1	Switzerland	15
Haiti	2	Uruguay	7
Honduras	1	Venezuela	5
Hungary	4		
India	65		
Ireland	10		
Italy	73 - 12 = 61	Total	932

(Difference 5).

These five units, resulting from the accession of new Members, viz., the Irish Free State and Abyssinia, will be divided in accordance with the terms of the above resolution by the Allocation Committee.

ANNEX XI.—Report of the Fourth Committee on Cost of Living at Geneva, Salaries and Pensions. (Rapporteur: M. J. A. Barboza-Carneiro.)

When the Second Assembly adopted certain resolutions, in 1921, regarding the organisation of the Secretariat and the International Labour Office, it left to a subsequent Assembly the duty of revising one of the provisions with regard to the salaries of officials and of meeting one of the latter's desires.

The Second Assembly desired the salaries of officials to be determined partly by the cost of the necessaries of life in Geneva. For this purpose, it decided that the salaries should be divided into two portions, the one fixed and the other variable. But, while establishing this principle and even laying down the suggested percentage which was to constitute the variable portion, the Assembly strongly recommended a further examination of the way in which the principle should be applied. It was with this object in view that the Salaries Adjustment Committee, in consequence of the decision reached by the Second Assembly, undertook a thorough examination of the question. This Committee made a very complete enquiry among the staff and submitted its conclusions to the Supervisory Commission. The latter, in its turn, carried out a very detailed study of the whole question.

The Fourth Committee examined the results of the enquiries carried out by these bodies and instructed a sub-Committee* to present a report on the provisions which should be adopted.

It also instructed the sub-Committee to express its opinion as to the way in which the legitimate desire of the staff, to which I have already referred, should be carried into effect—i.e., the establishment of a Pensions Fund.

It is therefore with regard to these two points that I have the honour to submit to you a certain number of resolutions adopted by the Fourth Committee.

COST OF LIVING IN GENEVA.

Variable Portion of the Salaries.

1. The fundamental question which had to be considered was that of the data which would enable the variations which had occurred in the cost of living to be determined. The Fourth Committee agreed with the opinion of the Supervisory Commission in considering that the various items of expenditure used to estimate the cost of living should include food, heating and light, rent and domestic service. The Committee adopted the following weights:—

Food	6.5	Heat and lighting	1
Rent	3	Domestic service	1

2. The Committee has adopted the figures published by the Swiss Federal Government for calculating the variations in the price of food, heat and lighting. Since no official statistics of rent nor

*The sub-Committee was composed as follows: Sir James Allen (New Zealand), Chairman; M. Barboza-Carneiro (Brazil); M. Buero (Uruguay); M. Giuriati (Italy); M. Petresco-Commene (Roumania); Sir Rennell Rodd (Great Britain); M. Réveillaud (France).

of servants' wages exist, the Committee had to content itself with the information obtained by means of the enquiry mentioned above, as well as the information furnished by the Société des Intérêts immobiliers, the Chambre de Travail and by various employment agencies in Geneva.

3. As the salaries were revised and determined by the Second Assembly, the Comité adopted as the basic period of its calculations the average of the last six months of the year 1921, the index number for this basic period being fixed at 100.*

4. The Committee recommends that the question of the reductions or increases of salaries shall be examined once a year, and that the year shall be regarded as ending on 31st July.

5. The average of each year shall be compared with the basic figure in order to calculate the increase or the decrease in the cost of living.

6. The Committee recommends that no change shall be made in salaries as long as the increase or decrease does not reach 10 per cent. of the index which caused a change in the salaries.†

7. The Committee has ascertained that there has been a decrease for food, coal and lighting, but that there has been no decrease in rent or in the wages of domestic servants. The average decrease for the four items is 13·2 per cent.

8. The Committee is of the opinion that this decrease permits a reduction 13 per cent. of the variable portion of the salaries of all the officials appointed according to the resolutions of the Second Assembly, that is to say, those who have a contract in which it is stated that the salary is composed of two parts, one fixed, the other variable, the latter subject to changes in accordance with the cost of living in Geneva.

9. The Committee proposes to fix the percentage of that portion of the salary which is to be considered variable at the same figure in the case of all established officials (*au titre international*). It considers that this portion should be 20 per cent. The percentage reduction or increase on variable salaries shall be calculated on the original variable salary and not on the variable salaries on which reductions have already been made.‡

10. The Committee is of opinion that the scale of annual increments (Annex 1 of the Staff Regulations of 1st June 1922) should not be changed, but that the increment once received becomes part of the salary, and is divided like the total salary into a fixed and variable portion, and that the variable portion is subject to revision in accordance with the cost of living. It recommends, in order to facilitate calculations, that the Secretariat and the International Labour Office should draw up a complete table, showing the fixed portion and the variable portion for all the different salaries. This table should be accompanied by an explanatory note.

11. The Committee is of the opinion that the maximum provided for in the table of Annex 1 of the Staff Regulations is dependent upon the cost of living, that is to say, that, in its opinion, this maximum was established on the hypothesis that the prices of 1921 would be maintained; if the variable portion is reduced or increased, this maximum should be correspondingly reduced or increased.

12. The Committee proposes that the decrease of 13 per cent. on the variable portion should come into force from 1st January 1924.

13. The Committee considers that all increments shall be liable to decrease as regards the variable portion from the date of their coming into force only.

14. The Committee has considered the case of the salaries in pounds sterling of certain high officials. It recognises that the salaries of these officials can only be divided into a fixed and a variable portion with their consent.

15. The Fourth Committee has learnt with great satisfaction that Sir Eric Drummond, who is legally exempt from all decrease of his salary, has, on his own initiative, agreed to consider 10 per cent. of his salary as a variable portion, and subject, therefore, to possible decrease.

16. Sir Eric Drummond's fine example has been followed by all other high officials, who have agreed to consider 10 per cent. of their salaries as a variable portion.

17. The Committee has further learnt with great satisfaction that the Director of the International Labour Office, as well as the Deputy Director, although appointed by the Governing Body of the International Labour Office, in conformity with Articles 394 and 395 of the Treaty of Versailles, have agreed to consider 10 per cent. of their salaries as a variable portion.

18. The Committee proposes, therefore, a decrease of 13 per cent. on the variable portion of the salaries of the Secretary-General, of all the high officials who have recognised the principle of a variable portion, and also on the variable portions of the salaries of the Director and Deputy Director of the International Labour Office, this being in conformity with paras. 13, 14, 15 and 16 above.

19. The Fourth Committee expresses its thanks to the Secretary-General, the Director of the International Labour Office, and all the high officials who have consented to a proportion of their salary being considered as variable. The Committee proposes that the Secretary-General and the Director of the International Labour Office be invited to continue negotiations with officials who were appointed under special conditions, or who have not yet had the opportunity of agreeing to the principle of a variable portion of their salaries, in order to obtain a solution in the sense indicated in the five foregoing paragraphs.

20. The Fourth Committee considers that by reason of the decrease in the cost of living the salaries of the locally recruited staff should be reduced.

This reduction should be effected by taking as the basis the reduction contemplated in the salaries of municipal, cantonal, and federal officials in Geneva. It therefore considers that it would be equitable to make a general reduction of $3\frac{1}{2}$ per cent.

* Sir James Allen declared that he was unable to accept this last point.

† Thus prices have fallen 13 per cent. since the basic period. The index for 1923 is therefore 87, and this index will form the basis for subsequent calculation. Ten per cent. of 87 = 8·7, therefore if prices rise to 87 + 8·7 = 95·7 or fall to 87 - 8·7 = 78·3, a further revision will have to take place.

‡ Let us therefore suppose a fresh reduction of 11 per cent. with reference to the year 1921 (100), the variable portion of the salary will be decreased by 11 per cent. on the initial total.

Salaries below 3,000 francs a year should receive special consideration.

The Committee proposes that these modifications should be carried into effect immediately. They must, however, be subject to the results of a thorough examination of all the aspects of the question, and especially the problem of classifying the staff in conformity with the second paragraph of this Article. The Supervisory Commission is requested to present a report on this subject as soon as possible to the Secretary-General and to the Director of the International Labour Office.

21. The Fourth Committee proposes that the Assembly should request the Supervisory Commission to undertake, in consultation with the competent officials, a revision of the texts of the various contracts, in such a manner as to remove any doubts as to their legal interpretation.

22. The Fourth Committee proposes that the question of the salaries of the officials of the Permanent Court of International Justice, as well as of the officials employed in the London and Paris offices and elsewhere, should be considered by the Supervisory Commission. The latter should take as its guide the principles contained in this report. Any modifications which may be decided upon should come into force on 1st January 1924.

ESTABLISHMENT OF A PENSIONS FUND FOR THE OFFICIALS OF THE LEAGUE OF NATIONS.

As the time of the sub-Committee has been very largely occupied in investigating the difficult question of the cost of living in Geneva, it has not been able to consider the details of the very important question of the establishment of a Pensions Fund for officials of the Secretariat and of the International Labour Office. It is, however, of opinion that the settlement of this question, which is a matter of special interest to the staff, can no longer be deferred. It has noted the fact that the Supervisory Commission has thoroughly investigated the matter and has considered the views of various actuaries, in particular those of Sir Alfred Watson, British Government Actuary, and Commendatore Toja, Actuary of the National Insurance Institute at Rome. The Fourth Committee concurs in the opinion of the sub-Committee, according to which the Assembly should adopt a decision on the principle involved and leave the Supervisory Commission free to prepare the final detailed regulations of the scheme. I accordingly have the honour to submit to you the following resolution:—

“The Fourth Committee approves of the creation of a compulsory provident fund in the form proposed by the two actuaries and the Supervisory Commission. The scheme in question should come into force as from 1st January 1924.

“It proposes that the Supervisory Commission should be authorised to draw up the final detailed regulations of the scheme and that the annexed memorandum prepared by Sir James Allen should be communicated to the Supervisory Commission for its consideration.

• “It proposes that the liabilities imposed on the League budget in consequence of this scheme should not exceed 5 per cent. of the total salaries of the officials to whom the pension scheme will apply.”

These, Gentlemen, are the proposals made by your Committee. I am anxious that you should realise that we have endeavoured to obtain as much information as possible. The sub-Committee entrusted with the consideration of this question heard with great interest the very fair statement by Mlle. Mayras, head of the Pool, with regard to the position of the subordinate staff. The sub-Committee received a petition from the International staff, signed by 220 members of the Secretariat, submitting certain remarks on the cost of living in Geneva. The sub-Committee on several occasions heard statements made by Professor Attolico, Under Secretary-General; Mr. Butler, Deputy Director of the International Labour Office; Mr. Loveday, member of the Salaries Adjustment Committee; M. La France, also a member of that Committee; and Mr. Nixon, a member of the International Labour Office, who have been present at all our meetings and who have furnished information on the different points raised. It was also indebted to Mr. Mackinnon Wood for valuable information and for an opinion on the legal status of certain members of the Secretariat, as well as on the interpretation of certain texts which we have had to consult. I wish to convey my sincere thanks to all these gentlemen. The Fourth Committee concurs most heartily in the warm thanks addressed by the sub-Committee to its distinguished President, Sir James Allen, to whose devotion and competence is due the fact that the sub-Committee was able to conclude within a very short time the consideration of the delicate question which had been submitted to it.

The Committee also expresses its thanks to the most efficient Secretary of the sub-Committee, Captain Arnould.

ANNEX XII.—*Report of the Fifth Committee on the Traffic in Opium and other dangerous Drugs. (Rapporteur: Mlle. Bonnevie.)*

The Advisory Committee on Traffic in Opium and other Dangerous Drugs has now been at work for two years. Last year it laid before the Assembly a report of the preparatory work already performed, and of its plans for further progress. This year we have before us again two reports showing how these plans are working, and proving also the necessity of proposing further steps to be taken by the Council as well as by the Governments in order to bring about the full co-operation between all nations without which, as expressed by the Advisory Committee (Document C. 37, M. 91, 1923), “its efforts must be nullified and the Convention must break down.”

The two sessions held by the Advisory Committee this year have been of particular importance, in view of the fact that the Government of the United States of America had, on the invitation of the Council, sent a special Delegation to co-operate with the Committee. The following proposals have, by this Delegation, been submitted to the Advisory Committee:—

- (1) “If the purpose of the Hague Opium Convention is to be achieved according to its spirit and true intent, it must be recognised that the use of opium products for other than medicinal and scientific purposes is an abuse and not legitimate.”
- (2) “In order to prevent the abuse of these drugs, it is necessary to exercise the control of the production of raw opium in such a manner that there will be no surplus available for non-medicinal and non-scientific purposes.”

These proposals were, after a very full examination, accepted by the Committee and recommended to the League of Nations as embodying the general principles on which the International Convention of 1912 is based and by which the Governments should be guided in dealing with the abuse of dangerous drugs.

In accepting these proposals, the representatives of the Governments of France, Germany, Great Britain, Japan, the Netherlands, Portugal and Siam made the following reservation:—

“The use of prepared opium and the production, export and import of raw opium for that purpose are legitimate so long as that use is subject to and in accordance with the provisions of Chapter II. of the Convention.”

The representative of the Government of India also accepted the American proposals, with the following reservation:—

“The use of raw opium, according to the established practice in India, and its production for such use, are not illegitimate under the Convention.”

India concurs also in the reservation made by the other countries mentioned above.

In this connection may also be mentioned the declaration made by Lord Hardinge, Delegate of India, at the 12th meeting of the Fifth Committee with regard to the control of the sale and consumption of opium in India:—

“In consequence of observations that have reached me in connection with my remarks the other day on the subject of opium, I would like to make the following statement:—

“My words on that occasion were: ‘Opium is now, and has for three years been, a matter dealt with by the Provincial Governments, and in all Provinces, except Assam, it is administered by Indian Ministers.’

“I would like to amplify that statement by saying that the administration of the control of opium in all but one province is in the hands of an Indian Minister and the power to deal with the question rests with bodies which contain an effective majority of members elected by the people. If, therefore, popular demand exists for a modification of the policy hitherto followed, and if a Provincial Council wishes to restrict still further the sale of opium for eating in India or to prohibit the sale of opium except for medical and scientific purposes, it is, in all provinces but one, open to the Indian Minister to initiate legislation in that sense. In Assam, the one province referred to, I understand that the Government has concerted, in consultation with Indian Members of the Legislature, a scheme for further progressive restrictions.

“I would further add that, in the event of any such legislation being initiated in any province, it would undoubtedly receive support from the Government of India.”

The co-operation with the United States was continued also in the Fifth Committee, where the same Delegation, as consultative members of the Committee, have taken an interested part in our discussions. This co-operation will, I am sure, be welcomed by all Governments as being of great importance for the success of our fight against the abuse of narcotic drugs.

The Fifth Committee, after having examined the two reports laid before it by the Advisory Committee, considering all the valuable facts therein contained and all the interesting resolutions forming together a practical programme of further action, proposes to the Assembly to express its deep appreciation of the work performed by the Advisory Committee and to adopt its report and resolutions, requesting the Council to take the necessary steps to put these resolutions into effect. (Resolution 1.)

The Fifth Committee has, however, also found it necessary to emphasise some points of great importance for the whole work and in a series of resolutions to propose a special action to be taken:—

(a) With regard to the ratification of the Opium Convention of 1912, progress—even if slow—can be reported among the States Members of the League.

A further step forward of great importance is the fact that, by the Treaty of Lausanne, Turkey has now undertaken to adhere to the Convention. In view of the great importance of Turkey as an opium-producing country, the Committee has considered it desirable to recommend that Turkey should be invited by the Council, as soon as she has actually ratified the Convention and put it into force, to send a representative to the Advisory Committee. (Resolution 2.)

(b) The Fifth Committee has learnt from the reports of the Advisory Committee that it is still waiting for the ratification of the Convention by Switzerland which had been expected in consequence of the declaration made last year by M. Ador on behalf of the Swiss Government and mentioned in the report of this Committee to the Assembly. The same is the case also with Persia, although the Persian Delegation has repeatedly recommended to the Government to withdraw its reservation.

The urgent importance to the whole work of such ratification was emphasised in the Fifth Committee by several delegates, while on the other hand the Delegates of Switzerland and of Persia have both explained, in declarations annexed to the Minutes of the Committee, the reasons which until now have made it difficult for their Governments to ratify the Convention of 1912. In Switzerland the question of ratification of the Opium Convention has raised problems partly juridical and partly economic. The juridical problem concerning the power of the Federal Government in relation to the sovereignty of the cantons has, however, already been solved, while the economic side of the question is still under discussion. In Persia the greatest difficulty consists in finding some lucrative cultivation for the peasants which might replace the cultivation of the poppy. Persia would welcome the calling of an economic conference to study such practical difficulties. Both delegates have again confirmed the interest and endeavours of their Governments in overcoming such difficulties, and the declaration of M. Ador finishes with an assurance that “the Federal Council is still faithful to the principle expressed in the declaration of last year” and that “its active co-operation in the great task undertaken by the League of Nations in the field of dangerous drugs” will, it is hoped, soon be established.

The importance of ratifications by countries so deeply interested in the production of and trade in opium and other drugs as those just mentioned is clearly evident, the endeavours of the Advisory Committee to bring about a control of production and limit of abuse being more or less hopeless so long as a full co-operation between interested Powers has not been attained. The adherence even of countries which can be counted neither among producers nor among manufacturers of opium, &c., is also of great importance, such countries easily becoming centres of illicit traffic.*

* The following countries Members of the League have not yet ratified the Opium Convention: Albania, Argentina, Colombia, Costa Rica, Lithuania, Paraguay, Persia, Switzerland.

The Fifth Committee therefore recommends that the Council should, once more, make an appeal to the Governments concerned. (Resolution 3.)

(c) With regard to the system of import certificates, unanimously approved by the Assembly in 1921 and again recommended in 1922, the information has been given that at present 20 States have adopted this system and put it into force, while 13 other States have accepted the principle. The Advisory Committee regrets, however, that a number of States Members of the League, and Parties to the Opium Convention, have not yet signified their adoption of this system.*

A resolution was passed by the Assembly last year, asking the Advisory Committee to examine the question of the measures to be taken towards countries not adopting the import certificate system. The complicated and technical character of the issues involved in the resolution mentioned was examined by the Advisory Committee at its extraordinary meeting in January this year.

As, however, the adherence of the three important countries, Switzerland, Persia and Turkey, would make the solution of the whole question much easier, and as these countries had all given hopes of their ratification of the Convention at an early date, Switzerland having declared itself willing to adopt also the import certificate system, the Advisory Committee resolved to postpone a final decision in regard to the Assembly's resolution.

In view of the urgency of this matter, the Fifth Committee proposes to the Assembly a resolution in which the Advisory Committee is requested to proceed with its investigations of the question and to report specially to the next Assembly on the whole situation. (Resolution 4.)

(d) During the past year the Advisory Committee has further been engaged in this work of investigating the question of the world's needs of the manufactured drugs for medicinal and scientific uses with a view to the eventual limitation of the production of those drugs. Much valuable material has been sent to the Committee in annual reports and otherwise; a series of documents now exists for the first time regarding the cultivation of opium in the world (Document O. C. 109), its production in China (Document O. C. 117), the quantities of narcotic drugs considered as necessary by the Governments (Document O. C. 115), the world's requirements of such drugs (Document O. C. 116).

The Committee is, however, still without the statistics of the production of the drugs in France and Holland, and a number of countries have failed to supply the Committee with estimates of the amount of the drugs required for the internal consumption of their countries, as recommended by the third resolution of the Assembly last year. The failure to supply this information creates a great difficulty for the Advisory Committee.

The Delegate of the Netherlands has reminded the Fifth Committee of the declaration, made at an earlier date also by the Netherlands Delegate before the Advisory Committee, with regard to the reasons which make it impossible for the Government of that country to publish the statistics of manufacture of morphine and cocaine, so long as other countries parties to the Convention are not yet co-operating in the same manner.

The Delegate of France, on his side, declared that, as soon as possible, the statistics would be sent to the Advisory Committee by the French Government.

(e) A few words must be said as to the position in the Far East. It is satisfactory to note that the efforts made to stop the illicit traffic in the drugs in this part of the world has not been without result, and that large seizures have been made by the authorities. The situation appears, however, to remain very grave. In China, the cultivation and sale of opium have increased, and it would appear from the latest reports that they are now being carried on to an enormous extent. The smuggling of the manufactured drugs also continues, in spite of the measures taken by the Japanese and other Governments. It will be seen from the fifth report of the Advisory Committee that new and more stringent regulations have been brought into force in Japan, and we may perhaps express a hope that the Japanese Government will be able, even in the terrible catastrophe which has fallen upon that country, to maintain the efforts which it has begun to stop this evil.

In accordance with a recommendation made last year by the Advisory Committee with the approval of the Council (21st July 1922), the authorities of Japan and China have now, as communicated to the Fifth Committee by the Japanese Delegate, entered into negotiations with a view to establishing a mixed Commission of control of the traffic in opium and other drugs.

(f) The Fifth Committee has learned from the reports of the Advisory Committee that it has found the time ripe for taking measures towards a more effective application of Chapter II. of the Opium Convention concerning the "gradual suppression" of the use of prepared opium in territories where such use has not yet been prohibited, as well as to a reduction of the quantity of raw opium imported into these territories for the purpose of smoking.

Basing itself on a resolution passed by the Advisory Committee, the Fifth Committee proposes that a Conference should be called for this purpose. (Resolution 5.)

This resolution was passed in the Fifth Committee by a majority, a division of opinion having been expressed with regard to the question of the composition of the Conference, as well as to the words "for the purpose of smoking."

The American Delegation, while agreeing with the resolution as carried, made, with regard to the meaning of these words, the following reservation, with which the French Delegate associated himself:—

- "The representative of the United States of America desires to place on record that the term 'opium for smoking' appearing in Resolution 2 does not occur in Chapter II. of the Hague Convention of 1912, which refers only to prepared opium, and that the use of the said term 'opium for smoking' is not to be construed as an interpretation of the Convention."

(g) With great satisfaction, we read in the report that the Advisory Committee, in reviewing the work carried out during the past two years, has found that the information now available makes it possible to take steps towards a limitation of the production of the drugs. It has proposed that the Governments concerned in such production should enter into immediate negotiations to consider whether an agreement could be reached on this point.

The Fifth Committee recommends a resolution to be passed to the effect that a conference should be called also for this purpose, suggesting at the same time, for the consideration of the Council, the advisability of enlarging this Conference so as to include within its scope all countries which are Members of the League, or parties to the Convention of 1912, with a view to securing their adhesion to the principles that may be embodied in any agreement arrived at. (Resolution 6)

* Amongst such States are: France, Roumania, Kingdom of the Serbs, Croats and Slovenes.

With regard to this suggestion, the Delegate of the Netherlands declared that, although in full sympathy with the object of the proposed Conference, the reasons for its extension did not appear in any way conclusive. It was to be feared, for instance, that the countries where at present the drug was not manufactured would stand aside when the new agreement was ratified on the plea that no such manufacture existed in their territory.

It was by the Fifth Committee considered as urgent that both Conferences should be held as soon as possible, the more limited Conference concerning the Far East to be held first, while the other should follow, if possible, immediately after the former.

ANNEX XIII.—*Report of the Fifth Committee on the Traffic in Women and Children.* (Rapporteur: M. Sokal.)

The Fifth Committee had before it the report of the Council and that of the Advisory Committee on the Traffic in Women and Children made after its second session in March last, and expressed its appreciation of the record of steady progress contained in this latter report. The appointment of a representative of the United States of America on the Committee was noted with much satisfaction.

The Committee, while considering in detail the resolutions passed by the Advisory Committee, and in the light of the work of the Council of the League in this connection noted with satisfaction that the resolutions of the Advisory Committee were approved by the Council in all essential points.

The Committee desires to offer some observations on the following matters:—

1. The Committee observes with regret that, at the date of the meeting of the Fourth Assembly, only the following 14 States had ratified the Convention of 1921:—Australia, Austria, Belgium, British Empire, Canada, Cuba, Greece, India, New Zealand, Norway, Portugal, Roumania, Siam and South Africa. Three States, viz., Denmark, Finland and Panama, had adhered to the Convention. In view of the fact that the Fifth Committee was able to report last year that 33 States had signed the Convention, the slow progress in the deposit of ratifications is not satisfactory. From some of the statements made by delegates, it appears that in some cases the delay has been caused by the necessity of amending internal legislation in order to comply with the provisions of the Convention and that there is a likelihood of further ratifications being deposited at an early date. It is to be hoped that the Fifth Committee will be able to report a great improvement in this direction next year, as the time that has elapsed since the Convention was signed ought to have enabled all the signatory States to take the necessary action. The Fifth Committee thinks that the attention of States should again be called to the matter and passed a resolution to that effect.

2. The Fifth Committee was very interested to read that part of the report of the Advisory Committee which deals with the presence of foreign prostitutes in licensed houses—a question which was specially referred to them on the recommendation of the Fifth Committee last year. The Committee is glad to note that the proposal of the Polish Delegate, “that pending the abolition of State regulation, no foreign women shall be employed in or carry on her profession as a prostitute in any licensed houses,” was adopted by the Advisory Committee by a majority, and observes that the Council, in view of the differences of opinion manifested on this subject, has decided to communicate to Members of the League the report of the Advisory Committee on the question, together with an extract from the minutes of its proceedings relative to the examination of the Sokal proposal and an extract from the minutes of the proceedings of the Council relating to the same subject.

3. Arising out of the question referred to in the preceding paragraph the Advisory Committee considered the connection which may exist between the traffic in women and the system of State or official regulation, and proposed that a questionnaire should be issued to States asking for a statement of their experience. The Fifth Committee agrees that information of this kind may prove to be of the greatest value, and it is glad to know that the Council has already taken steps to issue this questionnaire in a slightly modified form.

4. On the subject of the employment of women police in dealing with prostitution, which is the subject of Resolution 8 in the Advisory Committee's report, several delegates urged the importance of this question. In their opinion the services of police-women are essential not only in dealing with prostitutes, whether in licensed houses or elsewhere, but especially in patrolling streets and open spaces so as to prevent the molestation of women and children and to give help to those who need advice or assistance. These delegates emphasised the value of the preventive side of women's work in this direction. The Fifth Committee notes that the Council decided to forward the recommendation of the Advisory Committee to all the Governments for their information.

5. Great satisfaction was expressed by members of the Fifth Committee on the adoption by the Council of the recommendation of the Advisory Committee that a small body of experts should be appointed to undertake a special study in order to obtain the fullest information concerning the conditions under which the traffic in women is carried out. It is understood that the funds necessary to defray the cost of the enquiry will be forthcoming from private sources in America. Such an investigation is likely to be of the greatest value in indicating whether the measures now being taken are sufficient or whether further action is required. It is apparent that the success of the enquiry must depend on the goodwill and collaboration of the countries where it may be thought necessary to make enquiries, and the Fifth Committee earnestly hopes that the experts will receive the fullest assistance in this respect. A resolution was passed voicing its views on this point.

In the course of the discussion on the Advisory Committee's report, two other matters were raised.

The Delegate for Roumania referred to allegations which are often made as to the circumstances under which women are recruited for employment in licensed houses and to the need for investigation. The Fifth Committee considers that any enquiries in this direction should be made by the Governments of States when the system of licensed houses is in operation and decided to pass a resolution recommending that the Advisory Committee should be asked to examine the question.

The British Delegate drew the attention of the Fifth Committee to the fact that the International Conventions on the Traffic in Women are not yet applied to all territories administered under mandate. It appears that the Permanent Commission on Mandates has already had this question under consideration, and it was decided to recommend that this Commission should be invited to give the matter further consideration.

In expressing appreciation of the work done by the Advisory Committee and the Council, the Fifth Committee wishes to point out that the League can only offer counsel as to the best means of dealing with the problems which arise. The responsibility for executive measures, that is to say, the actual police work, rests with individual Governments and calls for constant watchfulness. Some of the worst evils of the traffic have been suppressed by international co-operation and a revival of them can only be prevented by continued activity. There is apparently a public impression that the traffic in women consists only in the recruiting of innocent women and girls for immoral purposes abroad, but it is equally important to ensure that women do not drift into a life of immorality by want of proper supervision over the conditions of their employment in foreign countries, whether in theatrical or other occupations, and also to prevent the exploitation of women who have entered upon a life of prostitution at the hands of the abandoned persons who prey upon them.

ANNEX XIV.—*Report of the Fifth Committee on the work of the High Commission for Refugees: (a) Russian Refugees, and (b) Bulgarian Inhabitants expelled from Western Thrace. (Rapporteur: M. Simeon Radeff.)*

I.—RUSSIAN REFUGEES.

On 27th June 1921, the Council approved in principle the appointment of a High Commissioner to co-ordinate the measures taken by the various Governments and independent organisations to deal with the problems raised by the presence of more than one and a half million Russian refugees scattered throughout Europe and the Far East.

Thanks to the co-operation of the various Governments concerned, to the efforts of the High Commission and to the valuable support afforded to it by many private relief organisations, it has been possible to effect a very substantial improvement in the situation of the refugees.

It was recognised from the outset that the problem presented two distinct phases, one being of a transitory nature and consisting of hospitality in various countries, and the other a permanent solution by repatriation to Russia if and when conditions in that country became favourable.

Substantial progress has been made in the transitory phase. Thirty-two Governments have recognised the model identity certificate for Russian refugees recommended by the High Commission. The problem of the refugees in Constantinople, which, at the time of the establishment of the High Commission, assumed very serious proportions, has been practically liquidated by means of the evacuation to other countries of more than 20,000 refugees, most of whom are no longer dependent on charitable organisations, but are now engaged in productive work. With money obtained from various sources, and with the co-operation of the Governments and relief organisations in the work of the High Commission, the High Commissioner has been able to assist the great majority of the refugees who have settled in Central Europe and the Balkans. Bulgaria, the Kingdom of the Serbs, Croats and Slovenes, Roumania, Czechoslovakia, Poland and Germany deserve the deepest gratitude for their generous hospitality to hundreds of thousands of Russian refugees.

A considerable movement for a return to their country having manifested itself among certain categories of the refugees, negotiations were opened with the Soviet Government in order to secure satisfactory arrangements for their return to Russia. Some 6,000 refugees have been repatriated from Bulgaria and Greece under this arrangement, and the High Commission's representatives in Russia report that the concessions obtained from the Soviet Government have been loyally observed. It need hardly be pointed out that the High Commission has repatriated only those refugees who wished to return to their country, and that nothing has been done which might be interpreted as an encouragement to repatriation.

It is a principle recognised by all who are concerned with the problem of Russian refugees that this problem can only be solved by repatriation.

No other solution can be more than temporary. Such solutions are none the less important, for if repatriation is the only final solution of the question, it must first be made possible. At the present time, however, it seems clear that, if the repatriation of Russian refugees were carried out on comprehensive lines, it would involve certain dangers for those concerned. The time is not yet ripe for them all to return to their own country. However, the internal political situation in Russia appears to be becoming gradually more stable, and there is ground for hope that general repatriation will not only be possible, but will also be the desire of the refugees themselves. When that time comes, it will be the High Commission's task to organise that gradual repatriation as it is now organising partial repatriation.

In brief, practical experience leads us to conclude that, for the present, the duty of the High Commission is to continue to organise the protection—in the widest sense of the term—of Russian refugees until such time as general repatriation, the only final solution of the problem, becomes possible.

II.—BULGARIAN INHABITANTS EXPELLED FROM WESTERN THRACE.

The Council, at its meeting on 21st April 1923, considered, at the request of the Bulgarian Government, the question of the expulsion of certain Bulgarian inhabitants from Western Thrace to different parts of Greece, and requested the High Commission to do all in its power to improve their situation.

In accordance with this request the High Commissioner instructed his organisations in Greece to examine the possibilities of improving the condition of the people concerned, and, as a result, in close co-operation with the Greek authorities, has succeeded in securing the issue by the Greek Government of rations and allowances to these people.

Further, the High Commission, in conjunction with the Greek Government, examined the possibility of securing the return of these deportees to their homes.

The Greek Government accepted this proposal and has begun to carry it out. The High Commission has been informed that 2,000 deportees have already been repatriated, and that the return of 4,000 of them, who had been concentrated in Thessaly and in the island of Cérigo, is now proceeding. The High Commission has received assurance that repatriation will be accomplished by degrees in proportion as the Bulgarian villages are evacuated by the Greek refugees who had been temporarily accommodated there by the Greek Government, as they themselves have stated. The Greek Government must be congratulated on having accepted this happy solution of a problem which, in spite of its humanitarian guise, threatened to disturb its good relations with Bulgaria.

The work undertaken by the High Commission is immense, and the resources at its disposal are comparatively infinitesimal. Had it not been for the creative genius of Dr. Nansen, who knew how to co-ordinate every form of assistance and goodwill, the High Commission would not have been in a position to obtain the admirable results which it has achieved.

Your Committee wishes to state that Dr. Nansen has carried out his mission in a way which deserves the gratitude of all mankind.

ANNEX XV.—*Report of the Fifth Committee on the question of Travelling Facilities for Groups of Boy Scouts and Girl Guides.* (Rapporteur: M. Valdés Mendevilla.)

The Fifth Committee has had referred to it a draft resolution submitted to the Assembly by the Chilean Delegation, worded as follows:—

“The Assembly of the League of Nations: Considering that the international Boy Scout and Girl Guide movement, which promotes closer relations and a better understanding between the younger generations of all nations, is rendering very real and valuable services in the cause of world peace;

“Considering that it would be desirable to afford all possible assistance to the Boy Scouts International Bureau, and that its registered national associations should receive aid and support in carrying out their international task;

“Invites the Governments of the States Members of the League to give favourable consideration as regards travel by land or by water and passport and Customs regulations, to the question of the facilities which they can provide for those groups of Boy Scouts and Girl Guides which belong to a registered national Boy Scouts Association of any State Member of the League, when such groups are travelling from the territory of one State Member of the League to, or through the territory of another State Member.”

The Boy Scout and Girl Guide movement is not one of those new, unknown or little-known movements in the case of which it is desirable to await the results they may produce before recommending them for consideration and support to public opinion and the various governmental organisations.

Founded before the 1914 war, the movement had, even at that date, a very considerable number of adherents throughout the world. To-day it includes more than two and a-half million young people of both sexes in every continent and in every land, and it continues to prosper.

The Fifth Committee was of the opinion that, in recommending the Assembly to invite the various Governments to grant the assistance requested, it would not be asking for support for some feeble undertaking which is destined to disappear. The Assembly is being asked to take under its protection a movement which is full of life and which is, I may add, inspired by ideals the noble and lofty character of which is not contested and whose usefulness is undeniable from the point of view which is of special importance to all of us here; the point of view of world peace.

Therefore, it is not only necessary, but actually indispensable, that this movement should receive every support and assistance.

It should not be forgotten that the thoughts and feelings of the younger generation are an important element in forming the conscience of humanity; a pure and healthy element freed from all prejudice, rancour and memories poisoned by hatred; an element of enthusiasm and generous sentiment.

For that reason we should assist the international movement on behalf of Boy Scouts and Girl Guides, a movement which, by the constant exchange of visits, by camp life, by games played and by happy days spent together, during which the young people get to understand one another, increases from day to day their feelings of comprehension, respect and love for their neighbours whatever may be their language, race or continent.

At the suggestion of the Delegate of the Irish Free State, it was proposed that the facilities to be granted to the Boy Scouts and Girl Guides should be extended to groups of students at higher or secondary educational institutions. A substitute resolution was therefore drawn up to meet this

view. This resolution was approved by the Fifth Committee and is submitted for adoption by the Assembly:—

“The Assembly, considering the importance of encouraging contact between the younger generations of different nationalities, invites the Governments of the States Members of the League of Nations to grant all possible facilities for travel by land or by water—

- “(a) To groups of students at higher or secondary educational institutions,
- “(b) To groups of Boy Scouts and Girl Guides,

belonging to a registered national association of all States Members of the League, when such groups are travelling from the territory of one State Member of the League either through or to the territory of another State Member.”

ANNEX XVI.—*Report of the Fifth Committee on International Organisation designed to take part in the Relief of Peoples stricken by Calamities.* (Rapporteur: M. Georges Reynald.)

Senator Ciralo is the author of a proposal for the creation of an international organisation for the relief and assistance of populations stricken by calamities. With reference to this proposal, the Secretary-General has drawn up a report which the Council has decided to submit to the Fourth Assembly, together with a resolution according to which the question would be referred to the Governments, which would be requested to take cognisance of these documents and to furnish their observations with regard to the matter.

The Fifth Committee has examined with great interest the report of the Secretary-General on this important question. It was anxious, in the first instance, to pay tribute to the highly humanitarian spirit which had prompted Senator Ciralo's proposal and it was happy to have the advantage of his presence in order to receive explanations from him and to express to him its keen sympathy with his generous initiative. It has also appreciated the very instructive document which has been submitted to it and which contains numerous suggestions calling for consideration and reflection. The various points are examined with an exact appreciation of their practical aspect and without concealing any of the difficulties which will arise in their execution. This piece of constructive work ends with the draft of an international pact giving precise details as to the organisation and methods of procedure.

The Fifth Committee considers that it is not necessary for the moment to discuss these methods of procedure, or to undertake a detailed study of the proposal. In order that the various Governments might have before them sufficient material to be able to pronounce an opinion on the question of principle, it was necessary to draw up a programme and to outline a scheme and a method; but it would be premature for the Assembly to decide upon any details before the Governments consulted have been able to express their views on the subject and to formulate their observations.

The only idea which we wish to emphasise, because it clearly results from the opinions expressed and because it appears to be a useful commentary to the proposal itself, is that the result to be attained consists essentially in the organisation of immediate relief. Rapidity of action is to be aimed at rather than a wide scope. Every day, every hour lost may have disastrous consequences. It is of supreme importance that the stricken populations should have resources available and helpers trained for the work. Willingness and devotion are unavailing unless there is an organised force capable of directing such devotion into the right channels and of controlling relief work without hesitation and without delay. That is the aim which Senator Ciralo seeks to realise and which the League of Nations will no doubt wish to put before the various Governments.

It will do so with the greater confidence in view of the fact that the law of solidarity governs all alike with an ever-increasing force. The time is past when human beings remained isolated in their sufferings and when man bore the weight of his grief in solitude. Pity is awakened, charity appeals to conscience; individuals, associations and peoples feel themselves bound by mutual obligations; all understand that no great calamity can take place in the world without every individual being called upon to take part in the work of relief and reparation. Hearts and minds are thus disposed to accept the law of mutual assistance. We could not refuse to turn these humanitarian tendencies to account and to organise them, which is the only way of utilising them to the best advantage and of putting them into effect.

It is in this spirit that the Fifth Committee has unanimously adopted the Italian Delegate's proposal to accept the resolution of the Council.

ANNEX XVII.—*Report of the Sixth Committee on the Question of Slavery.* (Rapporteur: Dr. Nansen.)

The First sub-Committee of the Sixth Committee has taken note of the information on the question of slavery presented to the Fourth Assembly by the Council, especially the document A. 13. 1923. VI.

The sub-Committee fully agreed with the opinion expressed in the Council Resolution of 5th July 1923, “that the information which has been collected so far from the States Members of the League is not adequate to provide the basis of a sufficiently complete report,” and that the enquiry into the question of slavery must consequently be continued and extended.

The sub-Committee wished to lay special stress upon the desirability of obtaining a satisfactory result from this enquiry at the earliest possible date.

Different views were expressed by the members of the sub-Committee regarding the methods which might be adopted in collecting and sifting the material in question. Everyone agreed that this difficult task should be entrusted to some expert body, but, considering the present financial

position of the League, all wished to avoid extra expenditure. While some members were of the opinion that the question of slavery in general might be referred to the Permanent Mandates Commission, others suggested that the Council might possibly avail itself of the services of the International Bureau at Brussels, which is at present only dealing with the liquor traffic; still others suggested that a special Advisory Committee might be appointed.

The sub-Committee finally agreed that the question of ways and means for the continued enquiry might be left to the discretion of the Council, and decided to propose to the Sixth Committee that the following draft resolution should be submitted to the Assembly. (See page 30.)

ANNEX XVIII.—*Report of the Sixth Committee on the Question placed on the Agenda at the request of the Lithuanian Government.*

The Sixth Committee has the honour to submit its report to the Assembly with regard to the question placed on the agenda at the request of the Lithuanian Government.

As the same question had already formed the subject of a discussion by the Council and of a Council Resolution, the Committee decided in the first instance to consult the First Committee as to the possibility, from a legal point of view, of a further debate by the Assembly. As the reply of the First Committee (Annex No. 1) does not exclude this possibility, a sub-Committee has been appointed to examine the question submitted to the Assembly by the Lithuanian Government.

After an exchange of views between the members of the sub-Committee and the Lithuanian representative, M. Sidzikauskas, the latter addressed a letter to the Chairman of the Committee, dated 25th September (Annex No. 2), which concluded by requesting the Chairman "to propose to the Sixth Committee and to the Assembly that the further examination of the question placed on the agenda of the Fourth Assembly at the request of the Lithuanian Government should be referred to the next plenary Assembly of the League of Nations."

In consequence, the Committee has the honour to propose to the Assembly that instructions should be given to refer to the Fifth Assembly, according to the desire expressed by the Lithuanian Delegation, the question placed on the agenda of the present session at the request of the Lithuanian Government.

ANNEX I.

Reply of the First Committee to the Questions submitted to it in the Letter from the Chairman of the Sixth Committee, dated 5th September 1923.

The question addressed by the Chairman of the Sixth Committee to the First Committee is the following:—

"May a discussion previously opened before the Council, and closed by the formal adoption by the Council of the findings in a report, be reopened before the Assembly?"

The First Committee would respectfully point out that it is impossible to give a definite reply to a question couched in such general terms. The only course which appears to it to be practicable is to consider the particular circumstances which gave rise to the question, and to offer an opinion limited to this case.

The Committee gathers from the documents presented that, during the deliberations of the Council of the League in reference to the frontier between Poland and Lithuania, the Council came to certain decisions. The Lithuanian Government contested the competence of the Council to make these decisions, and applied to the Council to request the Permanent Court of International Justice to give an advisory opinion upon the question of its competence. The Council declined to do this, and thereupon the Lithuanian Government has asked the Assembly to submit this question to the Court.

It is clear that, by Article 14 of the League of Nations Covenant, both the Council and the Assembly are empowered to ask for an advisory opinion from the Permanent Court, and by Articles 3 and 4 both bodies may "deal with any matter within the sphere of action of the League or affecting the peace of the world."

From these Articles it would seem, *prima facie*, that there is no obstacle in the way of both bodies acting in the case under consideration.

However, on 7th December 1920 the Assembly adopted a report in which the question of the relations between, and respective competence of, the Council and the Assembly were fully discussed, and it came to the following conclusion, viz. :—

"The Council and the Assembly are each invested with particular powers and duties. Neither body has jurisdiction to render a decision in a matter which, by the Treaties or the Covenant, has been expressly committed to the other organ of the League. Either body may discuss and examine any matter which is within the competence of the League."

The First Committee has therefore to consider whether, in this case, the question of inviting the Court to advise upon the competence of the Council is one that has been "expressly committed to" the Council.

The Committee is of opinion that, although the Assembly could not take into consideration a question the solution of which is pending before the Council, nevertheless, if the question of competence is raised in relation to the contents of the report made by the Council, this point does not constitute a matter expressly committed to the Council, and that the Assembly may consider itself competent to order a reference to the Court if it thinks it desirable.

But in expressing this opinion, the Committee does not wish to make any pronouncement upon the other legal objections which might be made in regard to the requests for an advisory opinion formulated in the Lithuanian proposal or on the advantages or the inconveniences that, in the particular case put by Lithuania, may attend the exercise of the right of the Assembly thus recognised in principle.

18th September 1923.

(Translation.)

ANNEX 2.

Letter, dated 25th September 1923, addressed to the Chairman of the Sixth Committee by the Lithuanian Delegation.

At its meeting of 3rd February 1923, the Council of the League of Nations decided, in spite of the protests of the Lithuanian Delegate, to divide up the neutral zone which owes its origin to the violent act of Zeligowski, and which separates the Lithuanian and Polish troops in the Vilna district. This zone was established by virtue of an armistice protocol regularly signed by the representatives of the Lithuanian and Polish Governments, and registered and published at the request of the latter Government by the Secretariat of the League of Nations in accordance with Article 18 of the Covenant. The Lithuanian Government is of opinion that, as no dispute with regard to the partition of the neutral zone had been submitted to the Council by the parties concerned under the conditions laid down in the Covenant, the Council of the League of Nations was not competent on its own initiative and without the consent of the two parties to modify the provisions of an agreement concluded by these parties and to attribute to its resolution the force of a recommendation of the Council given in pursuance of para. 6 of Article 15 of the Covenant. The Lithuanian Government is also unable to agree with the Council of the League of Nations as to the scope of Council recommendations given in pursuance of para. 6 of Article 15 of the Covenant, and it considers that the view held by the Council in a concrete case of this sort is not in conformity with the provisions of the Covenant.

The Government of the Lithuanian Republic therefore asked the Fourth Assembly to be good enough, in accordance with Article 14 of the Covenant, to seek an advisory opinion from the Permanent Court of International Justice with regard to the disputed points set out above. This request made by the Lithuanian Government has been placed on the agenda of the present Assembly and will be found under heading 23 (b).

Apart from the fact that the above-mentioned questions affect matters which go beyond the sphere of the dispute between Lithuania and Poland and raise points of importance for the future of the League of Nations and for its jurisprudence, they are of very special interest to the Lithuanian Government. That Government is faced with the existence of a provisional line of demarcation which the Council of the League of Nations traced in the above-mentioned circumstances and which the Lithuanian Government does not recognise. The position has been rendered considerably worse by the fact that the Conference of Ambassadors has seen fit to refer in its resolution regarding the eastern frontier of Poland to the said decision of the Council.

Nevertheless, as no reply has been received from the Conference of Ambassadors to the note of the Lithuanian Government of 16th April 1923, referring to the above-mentioned resolution of the Conference of Ambassadors, and as I am anxious, on the other hand, to take into account the suggestions made to me in this connection by members of the sub-Committee on the Lithuanian question, I venture very respectfully to beg Your Excellency to propose to the Sixth Committee and to the Assembly that the further examination of the question placed on the agenda of the Fourth Assembly at the request of the Lithuanian Government should be referred to the next plenary Assembly of the League of Nations.

(Signed) SIDZIKAUSKAS.
First Lithuanian Delegate.

APPENDIX IV.

Certain Speeches and Statements by the Indian Delegates.

ANNEX I.—*Report of Speech by Lord Hardinge of Penshurst, in Committee V., 18th September, on Opium.*

Lord Hardinge said that he had listened with great interest to the extremely able and lucid report which Mlle. Bonnevie had submitted to the Committee. He wished to pay a warm tribute to the assiduous work of the Advisory Committee, which, after an exhaustive study of the opium question in all its aspects, had proposed a certain number of resolutions. It must be a source of satisfaction to the Committee and to the Delegation of the United States to feel that these resolutions bore the clear impress of the humanitarian motives which had inspired the action of the United States representatives on the Advisory Committee, and which were characteristic of the great American nation.

Lord Hardinge was authorised to declare that the Government of India accepted the report and the resolutions presented by the Advisory Committee with the reservations as submitted, and he hoped that this report and the resolutions contained therein would be approved by the Committee and the Assembly.

Ten years ago, before the opium question had assumed an international character, Lord Hardinge at that time Viceroy of India, had had to take important decisions in regard to the cultivation of the poppy and the use of opium in India. The cultivation of the poppy and the use of opium in India dated from the 16th century, and the first law regarding the control of the production of this narcotic was enacted in 1813 by the Government of Bengal. Many new laws had been passed during the last century, and it might be said that in the course of the last 40 years the distribution and the use of opium in that country had sensibly declined. A Royal Commission sent to India in 1893 had reported that the control was effective, but further regulations had been issued since that date.

The policy of the Indian Government had been to restrict consumption to legitimate needs. Further, the sale of opium was subject to certain very stringent measures, such as the production of licences and an elaborate system of passes.

In particular, the vendor could not sell opium except upon cash payment and on premises for which he was licensed. He must not allow consumption on such premises, and he must keep a full account of the sales, which must be open at all times to inspection by excise officers. The number of shops thus licensed, which was fixed so as not to exceed what was necessary to satisfy the moderate needs of legitimate consumers, was, moreover, being constantly reduced. The control was, therefore, extremely strict and rigid, and no Government in India would tolerate any relaxation of this control.

Opium was now, and has for three years been, a matter dealt with by the Provincial Governments, and in all Provinces, except Assam, it was administered by Indian Ministers.

When Lord Hardinge went to India there was a large export of opium to China. The Chinese Government was at that moment making great efforts with a view to prohibiting the cultivation of the poppy in Chinese territory. The Government of India did not wish to hinder the action of the Chinese Government, and it decided that the export of opium destined for China should be reduced *provisis* with the suppression of the cultivation of opium in China. Although the agreement concluded between the Indian and Chinese Governments laid down that the export of opium in China should cease in 1918, this export had actually ceased in 1913, thanks to the measures taken by the Government of India. This entailed, as regards the Indian Budget, a loss of four million pounds sterling net revenue out of a total revenue of sixty millions. This took place, moreover, at a moment when expenditure on large schemes of education and sanitation were under consideration. These schemes had had to be abandoned.

In order to make good as far as possible the deficit which had thus arisen, it had been necessary to impose additional taxation on the people of India. In spite of this, complaints have been rare, as it was realised in India that India's loss was China's moral gain.

These facts showed that, while India had always had in the control of opium the interests of her people at heart, she had at the same time pursued a beneficent and unselfish policy towards her neighbours even when their interests had been in conflict with her own.

ANNEX II.—*Statement by Lord Hardinge of Penshurst, in Committee V.,
21st September, on Opium.*

In consequence of observations that have reached me in connection with my remarks the other day on the subject of opium, I would like to make the following statement:—

My words on that occasion were: "Opium is now, and has for three years been, a matter dealt with by the Provincial Governments, and in all provinces, except Assam, it is administered by Indian Ministers."

I would like to amplify that statement by saying that the administration of the control of opium in all but one province is in the hands of an Indian Minister, and the power to deal with the question rests with bodies which contain an effective majority of members elected by the people. If, therefore, popular demand exists for a modification of the policy hitherto followed, and if a Provincial Council wishes to restrict still further the sale of opium for eating in India or to prohibit the sale of opium except for medical and scientific purposes, it is, in all provinces but one, open to the Indian Minister to initiate legislation in that sense. In Assam, the one province referred to, I understand that the Government has concerted, in consultation with Indian Members of the Legislature, a scheme for further progressive restrictions.

I would further add that, in the event of any such legislation being initiated in any province, it would undoubtedly receive support from the Government of India.

ANNEX III.—*Speech by Mr. Hasan Iman, read by H.H. the Maharaja Jam Sahib
of Nawanagar, 27th September, on Opium.*

If I were to commence what I have to say in the customary form of applauding the League of Nations for the work it has attained in its existence of four years, I would be merely repeating what other speakers have already said in eloquent terms and inimitable language. The ideals of the League, high and noble as they are, do not in fact need words to express their grandeur. Born in a land hoary with ideals, brought up in reverence for those ideals, bred to believe in those ideals, the Indian bows his head in worship of the ideals of the League. The ideal fills the Oriental mind and is an abiding source of hope in Oriental life. The East gave her message of faith and hope to the West when the world was young, and the East again sends her message of faith and hope to the West when the world is old. What has attracted the East to the League is not its functional capacity to execute the demands of materialism, but its ambition to set before itself an ideal ennobling, elevating, soul-fulfilling in order to redeem mankind, mankind without distinction of race or creed, from the many dangers that beset its path in the fulfilment of self-realisation. Shorn of that ideal the League would be but a mere machine, spiritless, soulless. Born of the wail of the widow and the cry of the orphan, the League in its ideals has much that thrills the mind and entrals the soul. When mind and soul work in unison the hand has to exercise its function, has to execute the mandate, has to obey the call of conscience. The lurid light of history on past events, howsoever discouraging in its exposure of human nature, has yet to darken before the blaze that the ideal sets in flame. While events of history may discourage us, and cause a gloom on our minds, the ideal supplies the necessary strength to battle against temptation, and hope, born of the truth of the ideal, sustains us to achieve the common good of mankind. To the East, with its meditative mind, with its absorption in the Eternal Truth, nothing could be more appealing than the beautiful ideal of goodwill to all and peace for mankind, the ideal that engendered the being of the League. It is true that from the spiritual plain of ideals the League has had to descend to the actualities of life and to deal with figures, statistics and problems that encompass, and necessarily encompass, the individual. But in descending from the ideal to the

real, from ethics to actualities, from morals to practice, the League would be demonstrating the worth of its great mission in applying the ideal to the solution of international questions. The mission to establish peace in the midst of conflicting interests of nationalities is great, but its fulfilment is only possible by the achievement of a larger, a wider, a bigger mission—the mission of humanitarianism—for it is out of humanitarianism, the bedrock of individual life, that the hopes of humanity can be realised. Out of that mission of humanitarianism has arisen the question of the dispensation of drugs, in one aspect dangerous and in another aspect comforting, soothing, palliating to human suffering. The attention of the civilised world in this connection has been directed to the drug known as opium, and much has been said by humanitarian societies as to the evil effects of it. In all matters, as in this, we have to audit the account and to see if the criticism is correct, or if imagination has gone beyond the legitimate measure of judgment in making its pronouncement. No one can condemn a war more than the Indian does, but I venture to say that we are not behind those that realise that the evil of war in the past arose out of the conflicting interests of nations who indeed would have averted it if they could. Without giving any encouragement to the incentives of war we have yet got to take account of the eventualities of life, and it has to be said to the credit of some of the drugs that they supplied some of the essential needs of the hospitals that sheltered the wounded and the suffering, to whom opium in its manufactured form came not merely as a relief to suffering but as an assurance of life. I do not propose to dwell here on the scientific and medical uses of opium, but to deal with the subject of opium in its evil effect, the effect that we see of it from the addiction to it. Much interest has centered round India on this topic, and opinions, varied in character and estimate, have been formed concerning the production, by India, of opium. Much of the harshness of opinion entertained by enthusiasts concerning my country is due to what I may be permitted to call their ignorance of the people of India. There is an impression that because we are an opium growing people therefore we are an opium eating people. But if the world had been content only with entertaining such an opinion, we could have outlived such an impression by the manner of our sober and sedate life, which is the characteristic life of India, and time would have disproved the truth of such an impression. In our self-reliance we could afford to wait till the outside world rectified its misconceptions. But outside India the cry has been raised—and I say without justification—that in producing opium we are helping other countries to a degeneracy in race which no moral dictates can sanction. Hence as an Indian I feel that I owe it to you and to the world outside to state in emphatic terms that we have done nothing of which we need be ashamed. We have more than fulfilled our international obligations. We have at a cost to ourselves diminished our revenue by millions—millions that would have gone to relieve our poverty, millions that we could ill-afford to spare. But the high dictates of a principle, the commands of morals, and above all our religious belief in doing good to all, prevailed with us against our interest, and without any dictation from anyone we complied with the conventions, fulfilled the obligations in their entirety, and with integrity we carried out the promise that we made to the world. Neither in spirit nor in the letter of our obligations can we be accused of having departed even by a hair's breadth from our international engagement. If you look up the statistics of our Government, if you will have patience to read our opium report from year to year for the many years during which we have undertaken this international obligation, you will acquit my country of the charge, should anyone choose to lay it, of insincerity between profession and practice. We have not supplied even an ounce of opium without the restrictive condition of the system of certificates, except, perhaps, in one individual case of a country that had not adopted the certificate system, but whose dignity and power stood as a guarantee to us of the legitimacy of her purchase. We have a perfectly clean record in our international obligations, and we invite the whole world to examine and scrutinise our dealings in opium in relation to the outside world. But I would not content myself with merely giving such a limited invitation. The League, I confess, from the view of my people, is not and should not be interested in the question of dangerous drugs, only to the extent of international obligations, but we are prepared to accede to the view that no country is entitled to drug its own people, a drugging which interests the whole world and consequently comes within the purview of the League. Some people are under the impression, and I make bold to say very wrongly under the impression, that the consumption of opium in India is beyond the legitimate requirements of the country. If that were so I would not hesitate to denounce the drugging of my countrymen. As one born in India, and solicitous of Indian welfare, I have no hesitation in claiming that my people are free from the vice of addiction to opium. Neither opium nor alcoholic drink attracts the Indian, and if some individuals have adopted either of these two vices they do not by any means establish a ground for a generalisation of such a sweeping character as seems to have found favour with well-meaning enthusiasts. At the 1922 session of this Assembly my distinguished friend the Maharajah Jam Sahab of Nawanagar explained to the Assembly the extent of the need of opium in India. That speech of His Highness, I regret to have to say, has been often misunderstood, misread and misquoted. Bearing in mind the size and extent of my country, the nature of its requirements, the difficulty in getting modern medical aid in parts remote from towns, opium constituted an important aid in the alleviation of suffering whether of human beings or of animals, and to exercise an unduly restrictive vigilance over the consumption of this medical commodity is to inflict on the deserving many a denial of aid in order to save an infinitesimally small undeserving few from addiction. This brings me to the present constitution of India whereby the revenue derivable from the internal consumption of opium has been made over to the Provincial Governments wherein the excise revenue is a part of the portfolio of Ministers, who, in the administration of their respective departments, are dependent on the approval of the Legislative Councils. If in any province the evil of addiction were unhappily to exist the Legislative Council of the Province would be powerful enough to regulate the consumption of opium according to the actual need of the province. No one need apprehend that the people of India are not alive to their moral and material interests, and I may with assurance claim that the moment opium assumes a form of evil the Legislative Councils will see to the eradication of that evil.

ANNEX IV.—*Speech by His Highness the Maharaja Jam Saheb of Nawanagar, in the Assembly, 27th September, on Opium.*

On behalf of the Indian Delegation, I desire to be allowed to congratulate the League of Nations and its Fifth Committee and the Advisory Committee, on the excellent progress that has been made in the important international question regarding opium and dangerous drugs. The Government of India has always given its most complete adherence to the Convention, and has used every effort to carry out its terms. The success achieved in this matter by India is recognised by all. India will continue its settled policy in this direction. The Government of India will co-operate fully with the League of Nations in its efforts to further this great cause internationally. As regards *internal* administration within India, the Government has set its face against, and has done its best to eliminate in a commonsense manner, all forms of deleterious addiction. It requests all nations to give it their confidence in this matter, and particularly to recognise that India cannot regard as illegitimate the use of opium as a home-made medicine, which is general throughout India. India will not allow the deleterious use of opium for addiction purposes in India so far as stringent laws and efficient administration can prevent it. The internal administration of opium questions in India is in the hands of Indian Ministers, and is controlled by elected assemblies. I may further add that opium is a Government monopoly, and, speaking on behalf of the Indian States, the Indian States, autonomous or otherwise (such, for instance, as my own) could not export it without the permission of the Government of India, and could only export it through their agents.

Since the cessation of the Chinese traffic in 1913 no opium produced in the States of the Indian princes has been exported from India.

My colleague, Mr. Hasan Imam, was to have spoken on this subject. Unfortunately, he has been indisposed, and I will ask your permission to read on his behalf a short statement which he has made. (See Annex III.)

ANNEX V.—*Speech by His Highness the Maharaja Jam Saheb of Nawanagar, in the Assembly, 22nd September, on the dispute between Italy and Greece.*

When our distinguished colleague, M. Motta, opened the proceedings yesterday with his very eloquent and admirable speech, I hoped to have said a few words in support of his attitude, but the chances of debate removed the opportunity till to-day.

As the representative of India, speaking on behalf of our delegation, permit me to express my heartfelt sympathy with the great Italian nation in the righteous indignation to which she was moved by such an atrocious crime. All our sympathy was with Italy in her grief, but here in the friendly atmosphere of this Assembly which never fails to give us harmony, concord and self-control, Italy, I am sure, will generously allow us to emphasise before the world our belief in the complete competence of the League to insist on the peaceful settlement of disputes arising between its Members. When I say "insist" I do not mean the wilful insistence of a would-be superior Power, but the brotherly insistence of friendship and equality inspired by principle.

In so far as any one Member of the League fails to live up to the principles of the Covenant, just so far does the League fail to be its true self; for the League can succeed only by the faithfulness of each one of its Members. We are all imperfect, every one of us. Let the nation without sin cast the first stone. But as a corporate body, let us not forswear one jot of our principles even if we forgive one another unto seventy times seven. We must not fear to declare our faith. The League does not set out to impose settlements—that is not its nature—but to promote agreements. When time gives us complete calmness and allows excited ignorance to subside, all the world will see how wise the Council has been and how forbearing, in the end, all parties have proved themselves.

Under the old order, before this family of nations came into being, the right of reprisal no doubt held good; but under the new order which every one of us has accepted, and to which every one of us has set his signature, we hope that this is all changed. The League of Nations is the citadel of a new age if so be that we choose to make it such. Above all, we must be, we must see ourselves as, and we must cause the world to find in us the citadel of refuge of the small nations.

Unless the strong nations, the big brothers, set the example of forbearance, unless they show in their own bodies a willingness to sacrifice their pride of power, then the League of Nations will be a sham; then our hopes will fade—must fade—and the light on the horizon will die and the familiar and accusing darkness will return. Nations, no less than men, cannot serve both the God of righteousness and the mammon of pride. India declares that she takes her stand by the new order so far as lies in her power, and that she accepts the principles and practice of the Covenant without reservation.

In 1920, after tears and tribulations, when the full significance of the war spirit still cast its evil shadow over us, then with both hands we seized the promise of the Covenant. We stretched out both hands and welcomed it. We gave our pledge with both hands.

The greatest of the Mogul Emperors of India, Aurungzebe, whose pride equalled his greatness and compassed his fall, once had occasion to invite to his Court the young Maharajah of Jaipur, in order to settle a difference. When the Maharajah entered the great throne room at Delhi, alone and unattended, passing through the ranks of the courtiers and chieftains of the Emperor, Aurungzebe rose to greet him and took between his own two hands the outstretched hand of his guest. "Now, Maharajah," said the Emperor, "I hold you within my hands, and here are my warriors. What will you do?" Nothing daunted, the brave Rajput said, "Sire, when a man takes a woman by one hand he gives her his all. You, the Emperor of India, take me with both hands. What have I to fear?"

One word more. Do not let us forget that we have now the Permanent Court of International Justice to adjust our differences, great and small. We can await with confidence their decision on this last incident, so let us bury the inhuman past and resuscitate the bright dawn of 1920, which saw the birth of this Assembly, the latest and the last hope of civilisation and humanity.

ANNEX VI.—*Statement by His Highness the Maharaja Jam Saheb of Nawanagar, 28th September, on the dispute between Italy and Greece.*

The Indian Delegation is much gratified to express its full approbation of the decision of the Council, which it considers both conciliatory and wise and as worthy of the dignity of the League of Nations. I feel sure that this decision will have a reception in all the nations and amongst all the peoples worthy of its wisdom.

ANNEX VII.—*Speech by His Highness the Maharaja Jam Saheb of Nawanagar, in the Assembly, 22nd September, on the reductions in the Budget of the Technical Organisations of the League.*

Before the debate on the work of the Second Committee is opened and before the *rapporteurs* present to the Assembly the resolutions proposed by that Committee, which deal with several technical organisations of the League, I think it would be well for me, as Chairman of the Committee, to say a few words in order to convey to the Assembly the general impression which our discussions—very excellent discussions—in the Committee left upon our minds.

The Second Committee found its task of reviewing the work of the technical organisations an exceedingly interesting one. The work of these organisations comprises on the one hand many and important results already achieved, and on the other hand important preparatory steps giving promise of future success. The Committee was much impressed, not only by the value of the actual work done by the organisations, but also—and perhaps even more so—by the close association between the activities of these technical organisations and the activities of other organs of the League.

In the world to-day there is no international problem which has not a technical side. Technical competence is absolutely a *sine qua non* of the successful conduct of international business. Consequently, any diminution of the activity of the technical organisations, any cessation in the development of their activity, must, on the one hand, involve a holding up of the general success of the League, and, on the other, hinder progress in the direction of international co-operation and a settlement of disputes.

The reports on the discussions of the Fourth—the Finance—Committee are not yet before us. We know, however, that that Committee will report in favour of extensive reductions in the budget of the technical organisations. One must not set one Committee at variance with another, and far be it from me to oppose any reductions which may be proposed.

I am an advocate of economy, and I bow before the inevitable; but it is my duty to ask the Assembly to realise fully the extent of the sacrifices which we may accept, and to consider their effects. In the budget of the Economic and Financial Organisation, I understand there is to be a complete cut of the appropriation for the meeting of a general conference. Hence, no conference of this kind can be held next year. But it is clear from our investigations that, in various spheres, real and genuine progress cannot be achieved without an international conference.

With regard to the proposals now made by the Second Committee on Health questions, these have, in effect, already been approved by a previous Assembly. The resolutions proposed do not imply any expenditure which has not the approval of the Fourth Committee. But I ought to point out to you that, in the budget of the Health Organisation, the sums initially proposed for the carrying out of enquiries have been very considerably reduced. I am informed that this will have the effect of making it impossible to carry further the studies already begun on cancer and malaria. This point is all the more worthy of grave consideration since, on the proposal of the Second Committee, the Assembly has already decided on the final constitution of the Health Organisation of the League, and the Health Committee, which is a part of this constitution, is specially designed and intended as the organ of enquiry, investigation and preparatory study.

As to the organisation for Communications and Transit, the sum proposed for regional conferences has been cut out.

Let me be quite clear. I am not advocating the replacement of these sums in the budget—not at all. But I desire to apprise you fully of the gravity of the decisions as to financial cuts. The technical organisations must suffer in power and potentiality. Public opinion is very busy and very exacting in regard to the League of Nations. Public opinion no doubt is well advised; but public opinion should recognise that in the field of international questions no solution of a problem can be merely improvised. The value of the work of the League depends entirely on the value of the preparatory work, and the technical organisations are above all concerned with and responsible for preparatory work.

As to the actual work of the organisations and their programmes of future work, these I leave to the distinguished *Rapporteurs* appointed by the Second Committee.

ANNEX VIII.—*Statement by His Highness the Maharaja Jam Saheb of Nawanagar, in the Assembly, 28th September, on the allocation of the expenditure of the League.*

The resolution before the Assembly renews, with slight modifications for 1924, the scale which was approved for 1923 only. The Indian Delegation will abstain from voting on the present resolution. Perhaps I may be allowed to explain the reason of India's abstention. The Government of India is ready to acquiesce in the temporary renewal of the scale. It will do so in a spirit of co-operation and from a desire to avoid making its own point of view a cause of difficulty to this Assembly. But the Government of India is anxious, firstly, that this acquiescence this year should not be interpreted to mean that India is satisfied with the incidence of the present scale proposed in the resolution, and, secondly, my Government is anxious that India should make it clear that she reserves full liberty to object to the present proposed scale at the Assembly of 1924 should there then be a proposal to continue this scale.

APPENDIX V.

List of the Resolutions of the Fourth Assembly.

	PAGE
1. Reconstruction of Austria (12 Sept.) - - - - -	11
2. Traffic in Women and Children (15 Sept.) - - - - -	25
3. The work of the Health Organisation (15 Sept.) - - - - -	14
4. Amendments of Article 16 of the Covenant (22 Sept.) - - - - -	9
5. Organisation for Communications and Transit (22 Sept.) - - - - -	13
6. Eastern Carelia (24 Sept.) - - - - -	31
7. Work of the Economic and Financial Commission (24 Sept.) - - - - -	12
8. The question of Unpaid Contributions (26 Sept.) - - - - -	19
9. The question of the erection of a Conference Hall on the ground presented to the League by the Republic and Canton of Geneva and by the City of Geneva (26 Sept.) - - - - -	20
10. Amendments to the Covenant (26 Sept.) - - - - -	9
11. Protection of Minorities (26 Sept.) - - - - -	32
12. <u>Mandates</u> (26 Sept.) - - - - -	30
13. Traffic in Opium and other dangerous drugs (27 Sept.) - - - - -	23
14. The Principle of closer Municipal Relations (27 Sept.) - - - - -	32
15. International Arrangements for Legal Justice for the Poor (27 Sept.) - - - - -	32
16. Protection of Young Women travelling alone (27 Sept.) - - - - -	32
17. Question of Slavery (28 Sept.) - - - - -	30
18. Travelling Facilities for groups of Students, Boy Scouts and Girl Guides (28 Sept.) - - - - -	28
19. Question placed on the Agenda of the Fourth Assembly at the request of the Lithuanian Government (27 Sept.) - - - - -	31
20. International Organisation designed to take part in the relief of peoples stricken by calamities (27 Sept.) - - - - -	28
21. Election of the Non-Permanent Members of the Council (27 Sept.) - - - - -	10
22. The work of the Committee on Intellectual Co-operation (27 Sept.) - - - - -	26, 27
23. Financial Questions (28 Sept.) - - - - -	19
24. Cost of Living at Geneva—Salaries—Pensions (28 Sept.) - - - - -	22
25. Allocation of Expenses of the League (28 Sept.) - - - - -	21
26. The work of the Epidemic Commission (29 Sept.) - - - - -	15
27. Reduction of Armaments (29 Sept.) - - - - -	16
28. Work of the Latin-American Bureau (28 Sept.) - - - - -	32
29. Protection of Women and Children in the Near East (27 Sept.) - - - - -	25
30. Work of the High Commission for Refugees: (a) Russian Refugees; (b) Bulgarian inhabitants expelled from Western Thrace (27 Sept.) - - - - -	27

APPENDIX VI.

Index to Resolutions, Recommendations, and Decisions of the Assembly, in the course of the Fourth Session.

[The figures in brackets refer to the numbers of the Resolutions.]

	PAGE
• Admission of Irish Free State and Ethiopia (Abyssinia) - - - - -	29
• Allocation of the expenses of the League (25) (<i>See also Contributions in arrear below</i>) - - - - -	21
• Arbitration agreements (7) - - - - -	12
• Armaments, Reduction of (27) - - - - -	16
• Austria, Reconstruction of (1) - - - - -	11
• Bills of exchange (7) - - - - -	13
• Bondelzwart Rebellion (South Africa) (12) - - - - -	30
• Boy Scouts, Girl Guides and Students, Travelling facilities for (18) - - - - -	28
• Budget and Audited Accounts (23) - - - - -	19
• Budget, Procedure for adoption of - - - - -	6
• Bulgarians, Deported (30) - - - - -	27
• Calamities, Relief of peoples stricken by (20) - - - - -	28
• Coasting Trade (7) - - - - -	13
• Committees - - - - -	4
• Communications and Transit Organisation of the League (5) - - - - -	13
• Conference Hall (9) - - - - -	20
• Contributions in arrear (8) - - - - -	19
• Cost of Living at Geneva (24) - - - - -	22
• Council of the League :	
• Discussion on the work of - - - - -	6
• Non-Permanent Members, Election of (21) - - - - -	10
• Covenant of the League :	
• Amendments to :	
• Article X. - - - - -	7
• Article XVI. (4) - - - - -	9
• Ratification of (10) - - - - -	9
• Customs formalities (7) - - - - -	12
• Double taxation and fiscal evasion (7) - - - - -	12
• Drugs (13) - - - - -	23
• East, the Near :	
• Relief for refugees (30) - - - - -	27
• Women and children in (29) - - - - -	25
• Eastern Carelia (6) - - - - -	31
• Economic and Financial Commission (7) - - - - -	12
• Education diplomas, Secondary, Recognition of (22) - - - - -	27
• Electric Power Convention (5) - - - - -	13
• Epidemic Commission, Work of (26) - - - - -	15
• Estonia, Minorities in - - - - -	32
• Ethiopia, Admission of - - - - -	29
• Estimates (23) - - - - -	19
• Expenditure of the League. <i>See Allocation and Budget above.</i>	
• Financial Commission (7) - - - - -	12
• Financial Questions (23) - - - - -	19
• Foreign nationals (7) - - - - -	12
• Greece and Italy, Dispute between - - - - -	6, 32
• Greek refugees (30) - - - - -	27
• Health Organisation of the League (3) - - - - -	14
• Hydraulic Power Convention (5) - - - - -	13
• International Organisation for relief of peoples overcome by disaster (20) - - - - -	28
• Intellectual Co-operation (22) - - - - -	26, 27
• International Labour Office (23) - - - - -	19
• Irish Free State, Admission of - - - - -	29
• Italy and Greece, Dispute between - - - - -	6, 32
• Latin-American Bureau (28) - - - - -	32
• Lithuanian-Polish dispute (19) - - - - -	31
• Mandates (12) - - - - -	30
• Minorities, Protection of (11) - - - - -	32
• Municipal Relations (14) - - - - -	21
• Mutual Assistance, Treaty of (27) - - - - -	16
• Opium Traffic (13) - - - - -	21, 33

	PAGE
Pensions scheme (24)	22
Permanent Court of International Justice :	
Budget (23)	19
Election of a Judge	6
Polish-Lithuania dispute (19)	31
Poor, International arrangements for legal justice for the (15)	32
Ports, Maritime, Convention (5)	13
President and Vice-Presidents of the Assembly, Election of	4
Protection of Scientific Property (22)	26
Railways Convention (5)	13
Refugees, Russian and Bulgarian (30)	27
Reparations, References to	6, 33
Rules of Procedure of the Assembly	6
Rules of Procedure for election of non-Permanent Members of the Council (21)	10
Russian Refugees (30)	27
Salaries (24)	22
Sera, Standardisation of (3)	14
Shipping, "Free pratique" (3)	14
Slavery (17)	30
South Africa : Bondelzwart Rebellion (12)	30
Students, Travelling facilities for (18)	28
Supervisory Commission (23)	19
Trade and economic questions (5) (7)	11, 12
Unemployment (7)	13
Unfair competition (7)	13
Unpaid contributions (8)	19
University, International, and University degrees (22)	27
Vilna (19)	31
Women and children, Traffic in (2)	25
Women and children in the East, Protection of (29)	25
Women, Young, travelling alone, Protection for (16)	32



The Gazette of India

PUBLISHED BY AUTHORITY.

No. 52.} DELHI, SATURDAY, DECEMBER 27, 1924.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

CONTENTS.

	PAGES.		PAGES.
PART I. —Government of India Notifications, Appointments, Promotions, Leave of Absence, General Orders, Rules and Regulations	1111—1282	Rainfall summary for the six days ending at 8 hrs. on Tuesday, the 23rd December 1924, based on the Indian Daily Weather Reports of the period	1363—1364
PART II. —Notifications by High Court, Auditor General, etc. [<i>published in Calcutta</i>]	1381—1400	Statistics of reported attacks and deaths from cholera, small-pox and plague in districts or towns in British India or Indian States during the week ending 6th December 1924	1365—1368
PART IIIA. —Notifications relating to Minor Administrations [<i>published in Calcutta</i>]	427—429	Statement showing births and deaths from principal diseases in towns with population of over 30,000 in the various provinces of India for week ending 15th November 1924	1369—1372
PART III. —Advertisements and Notices by Private Individuals and Corporations [<i>published in Calcutta</i>]	173—174	Further amendments to part M of the Resolution of the Government of India in the Home Department Nos. 713-734 (Judicial), dated the 2nd June 1913.	1373
SUPPLEMENT NO. 52. — Prices second half November 1924 [<i>published in Calcutta</i>]	1341—1361	Statement of Approximate Gross Earnings of Indian Railways	1374

PART I.

Government of India Notifications, Appointments, Promotions, etc.

LEGISLATIVE DEPARTMENT.

NOTIFICATION.

Delhi, the 18th December, 1924.

No. 352—24-G.—The following Report of the Delegates of India to the

Fifth Session of the Assembly of the League of Nations (1924) is published for general information.

R. B. MILNE,

Joint Secy. to the Govt. of India.

**REPORT OF THE DELEGATES OF INDIA TO THE FIFTH ASSEMBLY OF THE
LEAGUE OF NATIONS (1924).**

TO THE RIGHT HONOURABLE THE EARL OF BIRKENHEAD,
HIS MAJESTY'S SECRETARY OF STATE FOR INDIA.

MY LORD,

We beg to submit our Report on the proceedings of the Fifth Session of the Assembly of the League of Nations held at Geneva from the 1st September to the 2nd October 1924, at which we had the honour to represent India.

2. M. Hymans (Belgium), as Acting President of the Council, opened the session on the 1st September in a speech reviewing the work of the Council during the past year. The first business was to verify the credentials of the delegates of the States Members represented. The Committee appointed for this purpose included Sir Muhammad Rafique. A list of the delegates of the 51 States represented is given in Appendix I of our Report. This number includes the Republic of San Domingo which was subsequently admitted to the League on the 29th September. No representative appeared from the Argentine Republic, Bolivia, Honduras or Peru.

On the same day the Assembly elected as its President M. Motta (Switzerland), a former President of the Swiss Confederation, by 45 out of 47 votes. M. Motta showed great capacity in the execution of his office. We refer later in our Report to the eloquent speech which he delivered at the end of the session.

3. The practice established in previous sessions of constituting six Committees of the Assembly was followed on this occasion. The items of the agenda of the Assembly referred to it by resolutions passed at the Fourth Session, or proposed subsequently by the Council of the League or by individual Member States, were allotted, after adoption, to one or other of these Committees for consideration. Representatives of the Delegations were nominated to serve on each Committee. The Chairmen of these Committees, together with the Vice-President of the Assembly, formed the general Committee. In addition a Committee was appointed to consider new items proposed during the session for addition to the agenda.

Security, Arbitration and Disarmament.

4. In the Report of the Council to the Assembly on its work during the past year, which formed the subject of the opening debates, the matter of outstanding interest was the replies received from Governments, to whom, in accordance with Resolution No. 27 of the Fourth Session of the Assembly,* the draft Treaty of Mutual Assistance had been submitted for consideration. This draft had been prepared in accordance with Resolution No. 23 of the Third Assembly,† on lines suggested by Viscount Cecil and Colonel Réquin (France), with a view to constituting a guarantee of security by means of a general defensive agreement between the States of the League as a preliminary to a general reduction of armaments. Among the replies received from Governments, that of Great Britain rejecting, and that of France accepting the scheme embodied in the draft had been made public shortly before the opening of the session. The presence among the delegates of the Prime Ministers of Great Britain and France, as well as of several other countries, and of the Foreign Ministers of many States, lent additional importance to these debates. On the decision of the issues involved in this question the future interpretation and application of the greater part of the Covenant of the League of Nations must inevitably depend. We therefore think it desirable to report the action taken as the outcome of the discussion on the draft Treaty of Mutual Assistance before we discuss the other items on the agenda.

5. M. Hymans, in his opening speech, alluded particularly to disarmament and to the importance of the general problem of national security. M. Motta, addressing the Assembly after his election to the Presidential Chair, referred to the impulse given at the London Con-

* Page 16 of the Report of the Delegates to the Fourth Assembly.

† Page 22 of the Report of the Delegates to the Third Assembly.

ference in August, to the principle of compulsory arbitration. On this principle he considered that the destiny of the ideal of peace founded upon right depended. Dr. Nansen (Norway), in referring to the work of the Permanent Court of International Justice, pointed out that the optional Protocol, under which States might bind themselves to accept the jurisdiction of the Court in certain classes of disputes, had been signed by 19 and ratified by 15 of the smaller States, but, so far, by none of the Great Powers.

It was not, however, until the 4th September that the debate proper on the question of Reduction of Armaments was opened in a speech by Mr. Ramsay MacDonald (which we report in full in Appendix IV). Mr. MacDonald said that Great Britain, although she had rejected the draft Treaty of Mutual Assistance, was not indifferent to the problem of national security. On the other hand, the terms security and aggressor were in need of stricter definition. Personally he believed that responsibility for aggression could only be attributed accurately by means of arbitration. He proposed that the Assembly should appoint a Committee to consider the method of operation of Arbitration Courts and the obligations which States would be required to accept under such a system as was contemplated in Article 36* of the Statute of the Court of International Justice. Mr. MacDonald considered that Articles 10, 12, 13, 15 and 16 of the Covenant of the League of Nations required to be elaborated and expanded for this purpose. After this

*STATUTE OF THE PERMANENT COURT OF INTERNATIONAL JUSTICE.

Extract from Article 36.

The Members of the League of Nations and the States mentioned in the annexure to the covenant may either, when signing or ratifying the protocol to which the present statute is adjoined or at a later moment, declare that they 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 all or any of the classes of legal disputes concerning—

- (a) The interpretation of a treaty.
- (b) Any question of international law.
- (c) The existence of any fact which, if established, would constitute a breach of an international obligation.
- (d) The nature or extent of the reparation to be made for the breach of an international obligation.

The declaration referred to above may be made unconditionally or on condition of reciprocity on the part of several or certain Members or States or for a certain time. In the event of a dispute as to whether the Court has jurisdiction the matter shall be settled by the decision of the Court.

had been done it was necessary to call an International Conference on Disarmament. But first the League must be made comprehensive, so as to include not only the threatened nations but also the nations believed to threaten them. The League could not afford to leave Germany outside. The eventual inclusion of the United States of America and Russia was equally to be desired.

M. Herriot, the Prime Minister of France, in a speech on the 5th September (which we also report in full in Appendix IV), endorsed Mr. MacDonald's support of the principle of arbitration, which he said must be placed at the centre of international law in future. He suggested that the aggressor might perhaps be finally declared to be the country which refused arbitration, and that arbitration, security and disarmament were inseparably connected terms. He quoted the saying of Pascal:—"Justice without force is powerless; force without justice is tyrannical." In addition to the sentiment of international community, effective force, in the form of military, as well as economic and financial sanctions, was required to compel the observance of arbitral decrees. With regard to the entry of Germany into the League, France would observe complete impartiality, insisting only that there should be no exceptions or privileges.

Among other notable speeches in the debate may be mentioned those of M. van Karnebeek (Holland), M. Benes (Czecho-Slovakia), M. Politis (Greece), and the Maharajah of Bikaner. M. van Karnebeek believed that the Covenant itself was adequate to create the conditions necessary for the solution of the problem of disarmament and peace. In particular he cited Article 12. M. Benes emphasised the necessity for adequate security as a preliminary to disarmament. He defended the creation of the separate defensive undertakings between groups of States which were contemplated in Articles 6-9 of the draft Treaty of Mutual Assistance.† These he regarded as necessary means to security, until the true international spirit obtained. M. Politis questioned the adequacy of the military sanctions provided in the Covenant, and considered that they required to be further defined

† Page 67 of the Report of the Delegates to the Fourth Assembly.

in a separate agreement. He also emphasised the difference between compulsory jurisdiction of a Court in disputes agreed by the parties to them to be of a legal character, and mediation or conciliation in other classes of disputes, which under the Covenant itself was a function of the Council of the League. He demanded that the awards arising out of compulsory arbitration should be enforced by adequate sanctions. The Maharajah of Bikaner, in an able and carefully considered speech which was much applauded (quoted in full in Appendix IV), associated himself on behalf of India with Great Britain in rejecting the draft Treaty of Mutual Assistance. He pointed out that the guarantees of security offered in that document to a country such as India, possessed of a long land frontier exposed to attack from turbulent neighbours and out of reach of effective assistance from other States of the League, were too illusory to afford serious justification for disarmament.

On the 6th September the debate on the draft Treaty was brought to a close by the unanimous adoption of the following Resolution, proposed by the French and British delegations:—

The Assembly, noting the declarations of the Governments represented, observes with satisfaction that they contain the basis of an understanding tending to establish a secure peace, decides as follows:—

With a view to reconciling in the new proposals the divergences between certain points of view which have been expressed and, when agreement has been reached, to enable an international conference upon armaments to be summoned by the League of Nations at the earliest possible moment—

1. The Third Committee is requested to consider the material dealing with security and the reduction of armaments, particularly the observations of the Governments on the draft Treaty of Mutual Assistance prepared in pursuance of Resolution XIV of the Third Assembly and other plans prepared and presented to the Secretary-General since the publication of the draft Treaty, and to examine the obligations contained in the Covenant of the League in relation to the guarantees of security which a resort to arbitration and a reduction of armaments may require.

2. The First Committee is requested—

(a.) To consider, in view of possible amendments, the articles in the Covenant relating to the settlement of disputes.

(b.) To examine within what limits the terms of Article 36, paragraph 2, of the Statute establishing the Permanent Court of International Justice might be rendered more precise and thereby facilitate the more general acceptance of the clause.

And thus strengthen the solidarity and the security of the nations of the world by settling by pacific means all disputes which may arise between States.

The Delegations of India and the Dominions were consulted by the Prime Minister as to the terms of this Resolution before it was proposed.

5. The replies of Governments on the draft Treaty of Mutual Assistance were further discussed in the Third Committee of the Assembly (Reduction of Armaments), presided over by M. Duca (Roumania), at which the representatives of India were Lord Hardinge and the Maharajah of Bikaner, Sir Stanley Reed acting as substitute delegate. Simultaneously a general discussion was held in the First Committee (Legal and Constitutional Questions), presided over by Sir Littelton Groom (Australia), at which Sir Muhammad Rafique represented India, on the articles in the Covenant concerning the settlement of disputes and Article 36 of the Statute of the Court of International Justice.

In the course of the discussion in these Committees it was decided, on the proposition of the French Delegation, to prepare a Protocol, to take the place of the draft Treaty of Mutual Assistance, in which the principles of security and arbitration should be embodied. The question of disarmament it was not proposed to discuss at the Assembly session, but to reserve for the general Conference suggested in Mr. MacDonald's speech. Sub-Committees were appointed by each Committee to collaborate for the purpose of drafting the Protocol, that of the Third Committee being presided over by M. Benes, and that of the First Committee by M. Adatci, Japan, with M. Politis as *rapporteur*.

6. The meetings of the sub-Committees were held in private, but the Delegations of the British Empire were kept informed from time to time, through the medium of the British representatives on the sub-Committees, of the progress of the discussions. On the 22nd September the first draft of the Protocol was published. The articles relating to

security were then discussed in Committee III, while those relating to arbitration were being completed in Committee I. On the 22nd September Mr. Henderson defined the attitude of the British Delegation towards the Protocol in an important declaration, which we reproduce in Appendix IV. He announced that the British Delegation was prepared to accept the compulsory jurisdiction of the Permanent Court of International Justice in the classes of disputes contemplated in Article 36 of the Statute of the Court, subject, however, to reservations of which the text, in the opinion of the Jurists in the First Committee, admitted. In particular, Great Britain could not agree to subject to the compulsory jurisdiction of the Court disputes as to the use of the British Fleet in warlike operations undertaken on behalf of the Covenant of the League. At the same time Mr. Henderson made it clear that Great Britain did not interpret the Protocol as imposing obligations in regard to military or other sanctions which were not already contained or implied in the Covenant (Article 16).

7. The object of the Protocol, as stated by M. Benes and M. Politis in their Joint Report on the text (reproduced in Appendix III), is to make aggressive wars impossible, and for this purpose to create a system of arbitration from which no international dispute, whether juridical or political, can escape. It is represented that the reduction and limitation of armaments contemplated in Article 8 of the Covenant of the League of Nations can only be achieved if the security of States is guaranteed on such a basis. For this purpose provisions have been devised to supplement the Covenant in certain respects in which it is held to be defective in securing peaceful settlement of all disputes.

The procedure for the settlement of disputes contained in the Covenant may be summarised as follows:—

- (1) The dispute arises.
- (2) In cases where neither the arbitral procedure nor the judicial settlement provided for in Article 13 of the Covenant is applied, the Council meets, discusses the dispute and attempts to effect conciliation and mediation.

- (3) If it be unsuccessful and war breaks out, the Council, *if unanimous*, has to express an opinion as to which party is the aggressor. The Members of the League then decide for themselves whether this opinion is justified, and whether in consequence their obligations to apply economic sanctions become operative.

- (4) The Council then has, by unanimous decision, to recommend military sanctions.

- (5) If unanimity cannot be obtained the Council takes no further action, each party being practically free to act as it chooses.

The main defects in this system are held to be (a) that the parties to a dispute are not under obligation to accept the compulsory jurisdiction of the International Court in the classes of disputes mentioned in Article 36 of the Statute of the Court of International Justice; (b) that there is also no obligation to seek a peaceful settlement through arbitration procedure where mediation by the Council fails; (c) the absence of provision for determination of the aggressor in a dispute when the Council is not unanimous; (d) the absence of obligation on other Members of the League to apply sanctions against the aggressor as a direct result of the decisions of the Council; (e) the absence of any undertaking on the part of Members of the League to collaborate "loyally and effectively" in applying sanctions in accordance with geographical position. The Protocol contains provisions intended to ensure that these gaps in the Covenant are bridged, the omissions being supplied in the following manner:—

- (a) Subject to such reservations as they may find it necessary to make, the States Members of the League are required to undertake to accept the compulsory jurisdiction of the Court of International Justice in certain classes of disputes.

- (b) If the mediation of the Council fails in a dispute and the parties cannot of their own accord come to terms through the procedure provided in Article 13 of the Covenant (i.e., by arbitration, or

judicial settlement,) three alternatives are provided to ensure a peaceful settlement:—

- (i) compulsory arbitration at the request of one of the parties;
 - (ii) a unanimous decision of the Council as to the manner in which a dispute should be settled;
 - (iii) if the Council itself cannot reach a unanimous decision, reference of the dispute by the Council for compulsory arbitration.
- (c) Provision is made for the presumption of the aggressor in a wide class of cases in a manner which does not require the unanimity of the Council in establishing the presumption. Under Article 7 of the Protocol, the Council, on receiving information that either party to a dispute has committed an act calculated to aggravate or extend a dispute, is empowered to decide *by a two-thirds majority* if such an offence has been committed, call upon the guilty State to remedy the offence, and, if the remedy has been refused, to determine what measures are necessary to put an end to the situation thus created. A State which refuses to accept the procedure of pacific settlement and the decision resulting therefrom, or which violates the provisions of the measures taken by the Council to prevent war, is presumed to be an aggressor. The presumption will be held to suffice for the application of sanctions unless proof to the contrary has been furnished by a unanimous decision of the Council. In a case where there is no presumption of the aggressor, and the Council is not unanimous in declaring which party is the aggressor, the Council *is bound to declare an armistice, of which the terms may be settled by a two-thirds majority.* (In all such cases unanimity or a majority is to be calculated without the inclusion of the representatives of the parties to a dispute.)
- (d) By Article 11 of the Protocol States of the League are required

to apply the sanctions contemplated in Article 16 of the Covenant as soon as an act of aggression has been determined, and they are bound to apply these sanctions "loyally and effectively." Thus, under the Protocol, the sequence of events will be as follows:—

- (i) The dispute arises.
- (ii) The system of peaceful settlement comes into play.
- (iii) The Council intervenes. If arbitration is refused and war is resorted to and the provisional preventive measures enjoined by the Council are violated, the Council decides which party is the aggressor and calls upon all States of the League to apply sanctions.
- (iv) The sanctions must be applied forthwith without further recommendations or decisions.

8. In the above analysis one important class of disputes has been omitted, *viz.*, those which, after reference by the Council or by arbitrators to the Court of International Justice, have been declared by the latter to arise out of a matter within the domestic jurisdiction of one of the parties. Such disputes are envisaged in para. 8 of Article 15 of the Covenant, where it is provided that if it has been established that the matter of dispute is one within the domestic jurisdiction of one of the parties the Council *shall make no recommendation.* As the present Protocol was originally drafted, it implied that a party in a dispute of this character which was non-suited after reference to the International Court, if it then took hostile measures against the other party within whose jurisdiction the matter of dispute was declared to lie, would be presumed to be the aggressor. This presumption would involve the State in question being subjected to the sanctions imposed under the Protocol with the whole force of the League behind them, while the procedure for peaceful settlement of the dispute provided for in other classes of disputes under the Protocol would have ceased to operate. On the 25th September M. Adatci (Japan) moved in the First Committee an amendment to Article 5 of the Protocol providing that

a decision of the Court that a matter lay within the domestic jurisdiction of either party should be without prejudice to the Council's duty of endeavouring to conciliate the parties so as to ensure the maintenance of peace and a good understanding between nations. A number of States at once expressed opposition to this proposal, which appeared to them to imply an interference by the Council with the domestic sovereignty of States. The Japanese amendment was consequently withdrawn, but M. Adatci stated that in the circumstances his delegation could only accept the Protocol subject to the widest reservations.

The problem of meeting the objections of the Japanese was found to be one of great difficulty. After further attempts to reach an agreement in open Committee the question was eventually referred back for consideration to the sub-Committee which had drafted that portion of the Protocol for which the First Committee was responsible. From this time onwards very frequent meetings were held between the British Empire Delegation and the Delegations of India and the Dominions, at which Sir Cecil Hurst, the British representative on the sub-Committee, explained each stage of the negotiations to arrive at an agreed formula. The Delegations of the Dominions, being without instructions from their Governments, saw great difficulty in accepting any formula which would imply any right on the part of an international body to interfere in their domestic concerns; in particular Australia and South Africa anticipated conflicts arising in regard to the policy of their immigration laws in such disputes as the Japanese Delegation had in mind. Our colleague, Sir Muhammad Rafique, was freely consulted by the representatives of the Dominions on the legal and constitutional issues involved, and was able to exercise a mediating influence in the discussions which the Dominions delegates acknowledged with gratitude. Ultimately, on the 30th September, an agreement was reached between all parties. The conclusion was that the good offices of the Assembly or of the Council might be invoked in the manner provided for in Article 11 of the Covenant, even after it had been declared by the Court of International Justice that the matter of dispute lay solely within the domestic jurisdiction of one of the

parties, and that such action as the Assembly or Council might see fit to take to conciliate the parties would not necessarily involve the making of any recommendation to either. It was thus hoped, without departing from the letter or the spirit of the Covenant, to facilitate the peaceful settlement of a class of disputes which have frequently terminated in wars in the past. The Protocol was accordingly amended in such a way as to make it clear that the aggrieved party in a dispute of this character would only be presumed to be an aggressor if it had disregarded a decision of the Court and refused to invoke the good offices of the Assembly or the Council before proceeding to measures of hostility. On the introduction in the First Committee of the amendments to the draft Protocol Sir Cecil Hurst, on behalf of the British Delegation, made an interpretative declaration regarding the relation between Article 11 and para. 8 of Article 15 of the Covenant, which we reproduce in Appendix II.

9. If the Protocol enters into force it is intended that the Covenant shall be amended at the Sixth Session of the Assembly in such a manner as to bring it into line with the terms of the Protocol. For the intervening period States non-Members of the League and non-signatories of the Protocol will be invited, when involved in a dispute with a signatory State, to conform to the procedure for pacific settlement provided in the Protocol. If they refuse and resort to war, the sanctions in the Protocol will be applied. In disputes with Members of the League who do not accept the Protocol only the procedure for settlement provided in the Covenant itself will be applicable. If, however, the Covenant is ultimately amended in accordance with the terms of the Protocol, these terms will remain in force in so far as disputes with States non-Members of the League are concerned.

10. In the explanation of the Protocol which we have attempted above no detailed reference has been made to the provisions of the draft Treaty of Mutual Assistance* which it has been designed to supersede. In the general debates in the Assembly at the beginning of the session some speakers endeavoured to

* Pages 68-78 of the Report of the Delegates to the Fourth Assembly.

defend the provisions of the draft Treaty of Mutual Assistance against the criticisms formulated in the replies received from Governments. It became clear, however, after the passing of the Assembly Resolution of 6th September, that the draft Treaty was dead and that a new instrument was required to replace it. While, therefore, it does not seem necessary to recapitulate in detail the objections raised against the draft Treaty, we think it desirable to point out in what respects it is claimed that the Protocol meets these objections.

Both instruments are intended to secure the same object, *viz.*, to afford such guarantees of security from aggressive warfare as will justify States Members of the League in reducing their armaments to the extent required in Article 8 of the Covenant, *i.e.*, "the lowest point consistent with national safety and the enforcement by common action of international obligations." In the draft Treaty of Mutual Assistance it is proposed to achieve this end by requiring the Council to declare (by a unanimous vote) which of the two parties to a dispute likely to lead to hostilities is the aggressor, and to prescribe the measures to be taken by the other States Members of the League to carry out the economic, financial and military sanctions necessary to prevent the aggressor from levying war. Among other duties the Council is charged with the appointment of the higher command of the military forces to be employed for this purpose. On the other hand, States situated in a continent other than that in which the act of aggression has taken place are not called upon to co-operate in military, naval or air operations. The Council is also required to recognise and, if necessary, supervise the negotiation of special agreements between various groups of Powers for mutual defence or for the establishment of demilitarised zones. In return for the guarantees of security thus offered States Members of the League are required to undertake to co-operate in a general plan for the reduction of armaments. When this plan has been carried out States which are held to have departed from their undertakings to reduce or limit armaments will be regarded as committing acts of aggression.

The methods adopted to achieve the same object in the Protocol drafted at the Fifth Session of the Assembly are

the recognition of the compulsory jurisdiction of the Court of International Justice in certain classes of disputes, and the acceptance of the principle of compulsory arbitration in other classes of disputes. The Protocol is thus based on legal and moral, rather than material, guarantees of security. Moreover it provides an automatic method of presumption of the aggressor in disputes generally; whereas the authors of the draft Treaty declared that no simple definition of aggression could be drafted, and proposed to leave to the Council complete discretion in declaring which party was the aggressor in a particular dispute. In the Protocol States undertake to apply loyally and effectively the sanctions which are contained in the Covenant, but they are not called upon to furnish military forces for employment under the control of a higher command appointed by the Council. The strength of the force which they undertake to furnish to carry out military sanctions is left to their own discretion as occasion arises.

The essential difference between the two instruments appears, therefore, to be that the draft Treaty of Mutual Assistance develops the relevant articles of the Covenant in such a manner as to constitute the Council of the League a supreme military council for defensive warfare, while, on the other hand, the Protocol emphasises the supremacy of the legal and conciliatory powers of the International Court and of the Council, relying on individual States to support the authority of their decisions by effective co-operation in defence of them when they are challenged.

11. On the 2nd October the Assembly passed unanimously the following resolution proposed in the Joint Report of MM. Benes and Politis on behalf of the First and Third Committees: —

The Assembly, having taken note of the Assembly Resolutions No. 37. (2) reports of the First and Third Committees on the Oct.) questions referred to them by the Assembly resolution of the 6th September, 1924,

Welcomes warmly the draft Protocol on the Pacific Settlement of International Disputes proposed by the two Committees of which the text is annexed to this resolution, and decides—

1. To recommend to the earnest attention of all the Members of the League the acceptance of the said draft Protocol.

2. To open immediately the said Protocol in the terms proposed for signature by those representatives of Members of the League which are

already in a position to sign it and to hold it open for signature by all other States.

3. To request the Council forthwith to appoint a Committee to draft the amendments to the Covenant contemplated by the terms of the said Protocol.

4. To request the Council to convene an International Conference for the Reduction of Armaments, which shall meet at Geneva as provided by the following stipulations of Article 17 of the draft Protocol:—

“ In preparation for the convening of the Conference, the Council shall draw up, with due regard to the undertakings contained in Articles 11 and 13 of the present Protocol, a general programme for the reduction and limitation of armaments which shall be laid before the Conference and which shall be communicated to the Governments at the earliest possible date, and at the latest three months before the Conference meets.

“ If by the 1st May, 1925, ratifications have not been deposited by at least a majority of the permanent Members of the Council and ten other Members of the League, the Secretary-General of the League shall immediately consult the Council as to whether he shall cancel the invitations or merely adjourn the Conference until a sufficient number of ratifications have been obtained.”

5. To request the Council to put into immediate execution the provisions of Article 12 of the draft Protocol.

The Assembly, having taken cognisance of the report of the First Committee upon the terms of Article 36, paragraph 2, of the Statute of the Permanent Court of International Justice;

Considering that the study of the said terms shows them to be sufficiently wide to permit States to adhere to the special Protocol, opened for signature in virtue of Article 36, paragraph 2, with the reservations which they regard as indispensable;

Convinced that it is in the interest of the progress of international justice, and consistent with the expectations of the opinion of the world, that the greatest possible number of States should, to the widest possible extent, accept as compulsory the jurisdiction of the Court, recommends States to accede at the earliest possible date to the special Protocol opened

for signature in virtue of Article 36, paragraph 2, of the Statute of the Permanent Court of International Justice.

Striking speeches were delivered in the Assembly debate on the Resolution, testifying to the measure of agreement reached on the subject of arbitration and security, the chief among them being those of Lord Parmoor (whose speech we quote in Appendix IV), M. Briand, Mr. Henderson and M. Paul Boncour. It was announced in the course of the debate by the Delegations of France and Portugal that they had been empowered by their Governments to sign the Protocol immediately without reservations. It was afterwards announced

that France had also signed the Protocol accepting the *ipso facto* jurisdiction of the Permanent Court of International Justice, and that the following other States had signed the Protocol for the Pacific Settlement of International Disputes:—Albania, Bulgaria, Czecho-Slovakia, Esthonia, Greece, Latvia, Poland, Yugoslavia. Speakers from other Delegations, including Great Britain, Japan and Australia, in the concluding debates in the First Committee or in the Assembly, while expressing their own approval of the Protocol, stated that they could not pledge the approval of their Governments, whom they had had no opportunity to consult on its terms. Lord Hardinge and the Maharajah of Bikaner, having been compelled, on account of engagements in London, to leave Geneva on the 26th September, the vote of the Indian Delegation accepting the resolution was recorded by Sir Muhammad Rafique, who had represented India in the First Committee. The result of the debate on the resolutions was received in the Assembly with great applause. The President, whose eloquent closing speech we quote in Appendix IV, emphasised the importance of the advance made in this session of the Assembly in the cause of peace.

12. It will be observed that the proposals contained in the resolutions and the Protocol follow closely the lead given in the speeches delivered in the opening debates of the Assembly, especially those of the Prime Ministers of Great Britain and France. In the course of discussion in Committee a very close survey of the obligations contained in the Covenant of the League was undertaken. For instance, the implications involved in Article 11 of the Covenant as to the right of the Assembly and the Council to mediate in a matter in which the domestic jurisdiction of one party to a dispute is concerned were brought to light. We consider that the intricate provisions of the Protocol require most careful study by the competent authorities in their relation to the terms of the Covenant to which India has subscribed. India's geographical and political situation, as the Maharajah of Bikaner pointed out in his speech in the disarmament debate, renders her performance of some of the obligations imposed in the Protocol more difficult than for most States. Other outlying States Members of the League may

also find these obligations embarrassing. The Delegation considered that no good purpose would be served by insistence on these obstacles in the course of the discussions, especially as the enforcement of the Protocol is so closely bound up with the decisions to be taken at the Disarmament Conference which is proposed shortly to be held. The object of abolishing wars of aggression and of reducing and limiting armaments for offensive warfare to the minimum necessary to ensure the peace of the world is one which the signatories of the Covenant were resolved to achieve. The difficulties which have since been encountered in making effective the obligations undertaken under the Covenant have been serious and real. But in our opinion these difficulties were honestly faced by the eminent statesmen who co-operated in drafting the instrument for the pacific settlement of disputes which is now opened for signature. For this reason we desire to commend the two resolutions to the earnest consideration of the Government of India, bearing in mind that its views on the question will be reached in close consultation with the British Government and with the Governments of the Dominions.

Questions of Special Interest to India.

13. Before proceeding to give a detailed account of the other questions discussed at this session, we desire to call attention in particular to certain questions in which the Delegation considered that the interests of India were particularly affected:—

HEALTH ORGANISATION.

The Health Committee, whose constitution was determined by a resolution of the Fourth Session of the Assembly,* unfortunately contains no representative of India. India is, however, represented on the Permanent Committee of the International Office of Public Health, which by the above resolution was constituted the advisory Health Council of the League. Thanks to the munificence of the Rockefeller Foundation, the funds at the disposal of the Health Section of the League—the policy of which is subject to control by the Health Committee, are considerable. The Health Section, under its able and energetic Director, Dr.

Rajchman, has initiated many useful and important enquiries into diseases of international significance, and has widened the scope of international health work. In the discussion on the Report of the Health Committee, the Maharajah of Bikaner, after complimenting the Committee on its achievements, advocated very forcibly the necessity for co-operation between the Health Committee and the Permanent Committee of the International Office of Public Health in Paris, and suggested means for the accredited spokesmen on public health matters of other countries, including India, not represented on the Health Committee, to comment on the programme of new work of the League Health Organisation before its final adoption by the Assembly. We give in

See pp. 1134—1136.

its place a full account of the result achieved by the Maharajah's motion. It appears to us that the League, as well as India, would benefit by a closer contact between the Public Health Organisation in India and the League Health Section, and it is to be hoped that when a vacancy occurs on the Health Committee India's representative on the International Office of Public Health will obtain a seat upon it. This matter is one which, in our opinion, deserves the special attention of the Government of India.

ALLOCATION OF EXPENSES OF THE LEAGUE.

The necessary number of ratifications having been obtained, the amendment to Article 6 of the Covenant, providing that the expenses of the League should be borne by the Members in the proportion decided by the Assembly, had entered into force shortly before the Assembly session. The Report of the Allocation Committee (*see Appendix III*) stated that progress had been made in the investigations preliminary to the proposal of a permanent scale of contributions, but that the scale would not be ready yet for some time. The Delegation were therefore expecting to be called upon to vote for a further renewal of the provisional scale which has been adopted since 1922 from year to year. It was realised that if renewal of this scale were opposed it would no longer be possible for the Assembly to fall back upon the Postal Union scale of contributions, which had now ceased to be operative

*Page 14 of the Report of the Delegates to the Fourth Assembly.

owing to the ratification of the amendment. Owing to payment by the Argentine of the arrears of its contributions 35 units had become available for distribution this year, and might be employed in relief of the assessment of all contributing States or only of the more hard-pressed States. Accordingly, China had submitted to the Assembly, before the opening of the session, a claim for the reduction of her contribution from 65 to 35 units on account of financial straits, and as soon as a sub-Committee of the Fourth Committee had been appointed to consider the Report of the Allocation Committee a number of claims for reduction of contribution were received from other States. The Indian Delegation submitted to the sub-Committee a claim for reduction of India's contribution by 15 units (reproduced in Appendix II). It had been hoped to secure that this claim would be met by the vote of the Assembly itself, but we quickly realised that India was unlikely to gain any considerable reduction in her contribution by initiating a discussion on the rate of assessment in the Assembly. Such a discussion would have afforded an opportunity to many other States in a less favourable financial situation than India to prefer competing claims. The Assembly Resolution whereby the Allocation Committee was again entrusted with the task of distributing available units in relief of the more hard-pressed States

See p. 1144.

is reproduced on pages 1143-44 of our

Report. We decided that India's interest would best be served by accepting the Resolution, especially as India would have been alone in opposing it in the Assembly, and the effect of her opposition would have been to undermine, for the time being, the financial basis of the League. We have since been informed that the Allocation Committee met on the 30th October, and decided, in addition to fixing the contribution of the Dominican Republic at one unit, to distribute the units available from the resumption of payments by the Argentine in such a manner as to reduce the contribution of India by five units, of China by 15 units, of four other countries by two units and of five other countries by one unit. The remaining three available units were distributed between all Members of the League by increasing the total number of units from 932 to 935. As a result India will pay a fraction of 60/935 of the total budget of the League

for 1925, instead of 65/932. As the total budget amounts to 22,658,138 gold francs, India's contribution will be 1,453,997.8 gold francs, in lieu of 1,620,371.6 gold francs which have been paid for 1924. The Committee has been entrusted with the task of proposing an improved provisional scale to come into force next year. This scale will no doubt be regarded as more authoritative than the provisional scale now in force, as it will be based on more scientific foundations, and the figure at which India is assessed in it will require careful examination.

14. We were glad to observe at this session the increasing prosperity and careful control of the League's finances. A token of the first is the decision to call for designs for construction of the Assembly Hall, and to finance the building of the Labour Office out of normal income of the League instead of by borrowings from the Bank. The projects involving expenditure proposed by other Committees were subjected to very careful financial scrutiny in the Fourth Committee (Budget and Finance). As a whole the recommendations of the Financial Supervisory Commission were accepted by the Fourth Committee and in the Assembly. Considerable reductions were effected in the budget of the Health Organisation. The grants towards organisations for refugee settlements and child welfare work, and for the preliminary enquiry in connection with Senator Ciraolo's scheme for assistance to States overcome by disaster were made subject to very strict conditions. There was an evident desire to avoid committing the League to undertakings not strictly within the terms of the Covenant, and which could not be shown to be of direct benefit to the Member States generally. The Delegation endeavoured to support this principle as far as possible in Committee discussions. We did not, however, oppose in the Assembly projects to which we had objected in Committee where it appeared likely that our vote against their adoption would be unsupported.

The gifts of the French and Italian Governments of institutions for Intellectual Co-operation and for the study of private Law in Paris and Rome, respectively, raised the difficult problem as to whether the creation of centres of League activity in the capitals of individual Member States was detrimental

to the welfare of the League. In a discussion regarding the French proposal in the Assembly, Sir Muhammad Rafique pointed out, in a speech which we report in full in Appendix IV, that the generous offer of the French Government should not be refused unless the League itself was willing to furnish the financial support needed for a project which it had in effect approved.

This year the position of India in regard to opium traffic was not seriously challenged. In a speech delivered in the Assembly by the Chinese Delegate an allusion was made to Sir John Jordan's proposal that India's export of prepared opium should be reduced by 10 per cent. annually, but the matter was not debated further as it had no reference to the subject under discussion, *viz.*, the report recommending the programme for the Opium Conferences to be held in Geneva in November.

General Remarks.

15. As far as the principal question before the Assembly, namely, that of reduction of armaments, security and arbitration, was concerned, the position of India, like that of the Dominions, was necessarily one of subordinate co-operation with the British Delegation. Such objections as the Delegation thought fit to urge against certain provisions in the drafts under consideration it was found more convenient to express in the informal meetings of the Empire Delegations than in open Committees or in the Assembly. We have already alluded to the valuable legal assistance afforded by Sir Muhammad Rafique in this respect. Many of the matters discussed at the Assembly, especially projects emanating from certain of the technical and social organisations of the League, were primarily of interest to States Members of the League in Europe. But the Indian Delegation could not consider itself wholly disinterested in such matters, if only for the reason that the financial provision which they might involve required careful consideration in the Fourth Committee, in connection with the budget of the League. A more intimate knowledge of the previous history of some of these proposals, which goes back over several sessions of the League, would have been required to enable the Delegation to debate them effectively. This, in our opinion, is an important ground for

securing some further continuity in the composition of the Delegation to the League Assembly from year to year, a matter to which we observe that our predecessors have also drawn attention. In concluding this first portion of our Report we desire to express our appreciation of the honour of having represented India at a session of such great importance for the future of the League. While the Indian Delegation could only play a small part in the discussions, we consider that the presence of the Delegation was a useful reminder to the European States Members of the magnitude of the problems in which they were involved.

Other Items on the Agenda.

16. The remainder of the general debate in the Assembly at the opening session was of a discursive character. The chief question discussed was the treatment of minorities. Professor Gilbert Murray (Great Britain), Count Apponyi (Hungary), M. Politis (Greece), Count Skrzynski (Poland), took part in the debate on this question. M. Hymans (Belgium), on behalf of the Council, replied to certain strictures made by Count Apponyi on the handling by the Council of representations from minorities. The items on the agenda were distributed among the six Committees as follows:—

COMMITTEE NO. I.

Legal and Constitutional Questions.

Chairman: Sir Littelton Groom (Australia); *Vice-Chairman:* M. Limburg (Netherlands); *Representative of India:* Sir Muhammad Rafique.

Subjects dealt with by the Committee:—

† *Item 8.*—Amendments to Article 16 of the Covenant.

Item 11.—Legal assistance to the poor.

* Netherlands proposal for modification of Assembly Rules of Procedure (Article 27).

* Subject added to the agenda during the Session.
† These figures relate to the provisional list of agenda circulated before Session.

*Swedish proposal for development of International Law.

*Resolution No. 1 of Fifth Assembly, para. (2).

COMMITTEE No. II.

The Work of the Technical Organisations of the League.

Chairman: M. Garay (Panama);
Vice-Chairman: M. de Brouckère (Belgium); *Representative of India:* H.H. the Maharajah of Bikaner; *Substitutes:* The Maharaj Kumar of Bikaner; Sir Stanley Reed.

Subjects dealt with by the Committee:—

Item 13.—Intellectual Co-operation.

The work of the Committee, including (a) Senator Ruffini's scheme for the protection of scientific property; (b) meeting of experts on the revision of the International Convention for the Exchange of Publications; (c) proposal of the Spanish Government concerning the equivalence of degrees.

Item 16.—Report on the work of the Economic and Financial Committee, including the reconstruction of Austria and the reconstruction of Hungary.

Item 17.—Report on the work of the Organisation for Communications and Transit, including the results of the Second General Conference held in Geneva, November-December 1923.

Item 18.—Report on the work of the Health Organisation of the League, including the Epidemic Commission.

*French Government's offer of an institute for Intellectual Co-operation at Paris.

*Italian Government's offer of an institute of Private Law at Rome.

COMMITTEE No. III.

Armaments.

Chairman: M. Duca (Roumania);
Vice-Chairman: M. Politis (Greece); *Representatives of India:* Lord Hardinge of Penshurst, H.H. the Maharajah of Bikaner; *Substitute:* Sir Stanley Reed.

Subjects dealt with by the Committee:—

Item 7.—Reduction of Armaments. Report of the Temporary Mixed Commission.

Item 28.—Limitation of Naval Armaments. Resolution of the Council of 16th June 1924.

*Draft Treaty of Mutual Assistance. Replies of Governments (Resolution No. 1 of Fifth Assembly, para. (1)).

*Limitation of expenditure on Armaments.

*Consideration of Armaments Year Book.

COMMITTEE No. IV.

Budget and Financial Questions.

Chairman: M. Adatci (Japan);
Vice-Chairman: M. Zumeta (Venezuela); *Representative of India:* Lord Hardinge of Penshurst; *Substitute:* Mr. Patrick.

Subjects dealt with by the Committee:—

Item 15.—Scheme for the reorganisation of the Latin American Bureau.

Item 23.—Allocation of the expenditure of the League. Report by the Committee on the Allocation of Expenses.

Item 24.—Budget for 1925, including the Budgets of the International Labour Organisation and of the Permanent Court of International Justice. Audit of Accounts for the fifth fiscal period (1923).

Item 26.—Request of the Chinese Government for the reduction from 65 to 35 units of the proportion of expenses of the League of Nations allocated to China.

* Subject added to the agenda during the Session.

* Subject added to the agenda during the Session.

Item 27.—Erection of a Conference Hall on the ground presented to the League of Nations by the Republic and Canton of Geneva and by the City of Geneva.

*Pensions scheme for personnel of Court of International Justice.

*Request from Panama Government concerning its contributions prior to 1923.

COMMITTEE No. V.

Social and General Questions.

Chairman: M. Zahle (Denmark);
Vice-Chairman: Senator Dandurand (Canada); *Representative of India:* Sir Muhammad Rafique.

Subjects dealt with by the Committee:—

Item 9.—Principle of closer municipal relations. Proposal of Cuban Government.

Item 19.—Report on the work of the Advisory Committee on Traffic in Opium and other Dangerous Drugs.

Item 20.—Report on the work of the Advisory Committee on Traffic in Women and Children.

Item 21.—International Association for the Promotion of Child Welfare. Resolution of the Council of 14th March 1924.

Item 22.—Refugee questions. Reports by the High Commissioner.

*Protection of Women and Children in the Near East.

*Mutual assistance for relief of Peoples overcome by disaster. Mr. Ciruolo's proposal.

*Proposal of Greek Government to transfer to Caucasus Armenian refugees, and creation of national home for Armenians.

* Subject added to the agenda during the Session.

COMMITTEE No. VI.

Political Questions.

Chairman: M. Enckell (Finland),
Vice-Chairman: Mr. J. McNeill (Irish Free State),
Representative of India: Lord Hardinge of Penshurst.

Subjects dealt with by the Committee:—

Item 12.—Slavery, Report of Experts in accordance with the resolution of the Fourth Assembly.

Item 14.—Request by the Lithuanian Government referred by the Fourth to the Fifth Assembly. "Reference of certain questions to the Permanent Court of International Justice for an advisory opinion."

*Report of the Permanent Mandates Commission.

*Proposal of British, French and Belgian Delegations regarding Georgia.

*Admission of Republic of San Domingo to the League.

Election of non-permanent Members of the Council.

17. On the 26th September the Assembly adopted the following Resolution proposed by the Chinese Delegation:—

"The Assembly reiterates the following Recommendation adopted unanimously by the Assemblies of 1922 and 1923:—

"This Assembly considers that the Assembly, in electing the six non-permanent Members of the Council, should make its choice with due consideration for the main geographical divisions of the world, the great ethnical groups, the different religious traditions, the various types of civilisation, and the chief sources of wealth."

On the 2nd October the following States were elected non-permanent Members of the Council:—Uruguay by 43, Brazil by 40, Czecho-Slovakia by 40, Sweden by 37, Spain by 36, Belgium by 34 votes.

The Indian Delegation voted for the above States, it having been represented that at a time when the question of the

* Subject added to the agenda during the Session.

Protocol and the summoning of the Conference on Disarmament was under consideration it would be undesirable to attempt any change in the constitution of the Council.

Subjects referred to Committee I. (Legal and Constitutional Questions.)

AMENDMENT OF ARTICLE 16 OF THE COVENANT.

18. At the Fourth Session of the Assembly two amendments were proposed by the British Government to the text as amended at the Second Session of the Assembly of Article 16.* The object of these amendments was to restore in the text of Article 16 the expression "nationals" in addition to the expression "persons residing" in the territory of States, where mention is made in the Article of the prohibition of intercourse—financial, commercial or personal—between a State resorting to war in disregard of the Covenant and other Members of the League. The Assembly at its Fourth Session decided to defer discussion of the amendments to the Fifth Assembly. A sub-Committee was appointed by the Fifth Assembly to examine the new proposals of the British Delegation, which were supported by the French Delegation. We reproduce in Appendix III the Report of the sub-Committee. The Assembly, on the 27th September, passed the following Resolution:—

•(1) Amendment of Article 16, para. 1, of the Covenant.

The Assembly, noting that the amendment to Article 16, paragraph 1, of the Covenant, which was adopted by the Assembly at its second session, has not entered into force and appears to be open to objections which seem to render its entry into force impossible, and considering accordingly that it is no longer opportune for further Members of the League to ratify the said amendment, adopts in place thereof the following amendment, which it recommends should be ratified:—

"The latter part of the first paragraph of Article 16 of the Covenant shall read as follows:—

"which hereby undertake immediately to subject it to the severance of all trade or financial relations and to prohibit all intercourse at least between persons resident within their territories and persons resident within the territory of the covenant-breaking State and, if they deem it expedient, also between their

nationals and the nationals of the covenant-breaking State, and to prevent all financial, commercial or personal intercourse at least between persons resident within the territory of that State and persons resident within the territory of any other State, whether a Member of the League or not, and, if they deem it expedient, also between the nationals of that State and the nationals of any other State, whether a Member of the League or not."

This amendment shall be submitted for ratification by the Members of the League.

A protocol embodying the amendment shall at once be drawn up in accordance with the principles adopted by the second Assembly for amendments to the Covenant.

(2) Amendment of Article 16 of the Covenant, para. 2 of the original text, which becomes para. 5 of the text as amended in 1921.

The Assembly decides to adjourn to the sixth Assembly (1925) the consideration of the amendment to Article 16, paragraph 2, of the Covenant, as originally drafted, which has been proposed by the British Government.

NETHERLANDS DELEGATION'S PROPOSAL FOR AMENDMENT OF RULE 27 OF THE ASSEMBLY RULES OF PROCEDURE.

19. The Netherlands Government proposed the following amendment:—

"There shall be added to Rule 27 of the Rules of Procedure of the Assembly a second paragraph worded as follows:—

"Provided that decisions of the Committee should be taken by the vote of the majority of the Members of the League represented at the meeting."

The proposal was of interest in view of its bearing on the question of the necessity for unanimity in decisions taken by the Assembly. In the sub-Committee which was appointed to consider the proposal further proposals were made by the Spanish, Chinese and French Delegations. The proposal of the Spanish Delegation was that if the amendment put forward by the Netherlands Delegation was adopted the new second paragraph of Rule 27 of the Rules should be completed by the addition of the following further paragraph:—

"At the request of one or more Members of the Committee who have not voted in favour of a report adopted by a majority, the dissentient opinion with a statement of the reason for it

*Pages 8 and 9 of the Report of the Delegates to the Fourth Assembly.

shall be communicated to the Assembly at the same time as the report."

The Chinese Delegation proposed as an amendment to the Netherlands Delegation's proposal that the consent of any country mentioned in the resolution, or whose interests are principally or mainly affected by such a resolution, must first be obtained to the system of majority voting. The French Delegation proposed an additional amendment to the Netherlands Delegation's amendment, as follows:—

"Any delegate unable to attend a meeting may be represented at such meeting by the delegate of another Member of the League; the same delegate may not vote for more than two members."

The Report of the sub-Committee (which we reproduce in Appendix III) was to the effect that unanimity is only necessary at plenary meetings of the Assembly for the adoption of resolutions representing genuine decisions which are not connected with procedure and are binding on the States. Committee reports do not fall within this category, since they are merely a preliminary and provisional stage of the resolutions subsequently adopted by the Assembly. Although the ultimate voting of the Assembly must be unanimous, it does not follow that majority votes in Committees are ineffectual, experience showing that minorities on Committees do not, as a rule, attempt to prevent the adoption of other resolutions favoured by the majority when questions to which they relate come before the Assembly for decision. At the same time it was held that account may be taken in Committee of the opinions of minorities by amendment of resolutions already voted, with a view to meeting to some extent the objections raised. For this reason it was thought preferable not to bind the Committees by a rigid rule, but to allow them to continue to use the elastic procedure which has hitherto been followed.

All the amendments and proposals having been withdrawn, the Assembly on 18th September adopted the Report of the sub-Committee, placing on record its decision that there is no necessity for any amendment of Rule 27 of the Rules of Procedure.

The Assembly adopts the terms of the report of the First Committee (Document A. 72. 1924. V.) and decides that there is no necessity for any amendment to Rule 27 of the Rules of Procedure of the Assembly.

LEGAL ASSISTANCE TO THE POOR.

20. The question of legal assistance to the poor was raised by the Norwegian Delegate at the Fourth Session of the Assembly, and referred for consideration at the Fifth Session. After preliminary enquiry by the Secretary-General a Committee of Experts met in Geneva in July of this year, the cost of the meeting being borne from a private source. The investigations of the Committee were confined to the provisions for assistance to the poor in matters of *civil*, as distinct from *criminal* law, in the case of nationals and of foreigners in the various countries. They examined the provisions in treaties for affording assistance to the latter, notably those contained in the Hague Convention relating to Civil Procedure of 17th July 1905. A sub-Committee was appointed by Committee I. to consider the Experts' Report. The sub-Committee pointed out that there are two kinds of help in legal matters which fall within the general scope of the subject under consideration: (1) assistance in the actual conduct of litigation provided officially in the course of the regular administration of justice; (2) provision to poor persons not actually engaged in litigation of such advice or assistance as a paying client seeks from his lawyer in the ordinary relations of life. It recommended that information should be collated and published for the purpose of showing what are the arrangements by which in the various countries, and as between the various countries, help in legal matters is made available to the poor, and that the various Governments should each be invited to designate an authority or person to act as a centre of information to which application could be made from abroad for the purpose of ascertaining the existing facilities for the poor in legal matters. The Assembly, on 20th September, adopted the following Resolution:—

The Assembly decides—

1. To invite the Secretariat to prepare a list of the agencies, both public and private, which have been established in each country for the

Assembly Resolution No. 7 (20 Sept.).

purpose of giving to poor persons legal assistance in connection with litigation in the courts or free legal advice and consultation; and of international organisations that are interested in providing or securing legal assistance to poor persons.

This list shall be printed and distributed to the various Governments and be available for the agencies named therein and for other interested institutions.

This list shall be revised by the Secretariat from time to time in order that it may mention agencies that may hereafter be established or abolished.

2. To invite the Secretariat to collect the various treaties, laws and other provisions regulating legal assistance to poor persons in the various nations and between the various nations.

Such treaties, laws and other provisions or summaries thereof shall be published and distributed to the various Governments and be made available to the agencies mentioned in the list of legal-aid associations and to other interested institutions.

3. To invite each Government to nominate an authority or other duly qualified person who will answer enquiries from authorities or other duly qualified persons in other countries, with regard to the facilities afforded in the country applied to for giving legal advice and assistance in litigation to poor persons in other countries.

The list of authorities or persons so designated by the various Governments shall be published by the Secretariat from time to time.

4. To request the Secretary-General of the League of Nations to ask the various States, including States not Members of the League, 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 Articles 20 to 23 of The Hague Convention, of the 17th July, 1905, and whether possibly they would desire to propose any modification of such principles.

5. To request the Secretary-General to transmit to the Governments the report A. 34. 1924. V., concerning international arrangements for legal assistance for the poor.

PROPOSAL OF THE SWEDISH GOVERNMENT CONCERNING THE DEVELOPMENT OF INTERNATIONAL LAW.

21. On the 8th September the Swedish Delegation brought forward, in the debate on the Report on the work of the Council, a proposal that the Assembly should consider whether the time had not come for the League to determine in what particular directions the further development of international law should be pursued. It was pointed out that progress in this direction had already been made by means of the Convention concluded at Barcelona on Transit, the Conventions on the Traffic in Women

and Children, on the Simplification of Customs Formalities, on the Protection of Racial, Religious and Linguistic Minorities; while other Conventions, such as those concluded between certain Northern States to establish a procedure for enquiry into and settlement of disputes, had also recently been registered at the Secretariat. The Swedish Delegation advocated that special investigations should be conducted, under the auspices of the League, with a view to determining the items or subjects of international law, public or private, which might usefully be examined with a view to their incorporation in International Conventions or in other International Instruments. The proposal of the Swedish Delegation was considered in the First Committee and referred by it to a sub-Committee. The question was discussed in the Assembly on 22nd September, when it was pointed out by various speakers that some progress had already been made in the systematisation of international law in conferences on private international law at The Hague and on maritime law in Belgium, while in America codification of international law had been carried out in successive Pan-American Conferences. Several speakers emphasised that sufficient time must be given for any useful work in this direction to be undertaken by the League.

On the same date the Assembly adopted the following Resolution:—

The Assembly, considering that the experience of five years has demonstrated the valuable services which the League of Nations can render towards rapidly meeting the legislative needs of international relations, and recalling particularly the important conventions already drawn up with respect to communications and transit, the simplification of Customs formalities, the recognition of arbitration clauses in commercial contracts, international labour legislation, the suppression of the traffic in women and children, the protection of minorities, as well as the recent resolutions concerning legal assistance for the poor;

Desirous of increasing the contribution of the League of Nations to the progressive codification of international law;

Requests the Council to convene a committee of experts, not merely possessing individually the required qualifications but also as a body representing the main forms of civilisation and the principal legal systems of the world. This committee, after eventually consulting the most authoritative organisations which have devoted themselves to the study of international law, and without trespassing in any way upon the official

initiative (which may have been taken by particular States, shall have the duty—

1. To prepare a provisional list of the subjects of international law the regulation of which by international agreement would seem to be most desirable and realisable at the present moment;
2. After communication of the list by the Secretariat to the Governments of States, whether Members of the League or not, for their opinion, to examine the replies received; and
3. To report to the Council on the questions which are sufficiently ripe and on the procedure which might be followed with a view to preparing eventually for conferences for their solution.

Subjects referred to Committee II. (Technical Organisations.)

RECONSTRUCTION OF HUNGARY.

22. The action taken for the reconstruction of Hungary was summarised in a special Report of the Financial Committee. It became apparent early in 1923 that, unless an external loan could be raised, Hungary would be unable to stabilise her currency. The conditions prescribed by the Reparation Commission for the raising of a loan were found by the Hungarian Government too onerous to be carried out. The Council of the League, in September 1923, accepted conditional responsibility for preparing a scheme of financial reconstruction. A scheme was elaborated in the Financial Committee and adopted by a Resolution of the Council on 20th December 1923, under which the Governments of Great Britain, France, Italy, Roumania, Jugo-Slavia and Czecho-Slovakia undertook to assist the Hungarian Government on lines somewhat similar to those adopted in the case of Austria. The details of the action taken under the scheme are contained in the Report of the Commissioner-General, Mr. J. Smith (which we reproduce in Appendix II).

The progress made in the financial reconstruction of Hungary was discussed on the 9th September in the Second Committee. It was pointed out that the scheme had already achieved a considerable measure of success, and that the secret of this success lay in the disinterestedness of the control which was exercised. Special attention was drawn to the fact that no guarantees, such as had been necessary in the case of the Austrian loan two years ago, had

been found necessary for the Hungarian loan, a proof of the increase in the confidence inspired by the League.

The Assembly adopted, on the 11th September, the following Resolution:—

The Assembly, having examined the account of the work of reconstruction in Hungary contained in the general report of the Council to the Assembly (Documents A. 8 and A. 8 (a). 1924)—

1. Notes with lively satisfaction that once more, under the auspices of the League of Nations, and on the basis of a plan prepared by its Financial Committee, the reconstruction of another European country is being successfully achieved.

2. Believes that, as in the case of Austria, this work could only be carried out by international co-operation, and notes with great satisfaction the active association of many countries in the work, whether by the signature of the Protocols or through the issue of the loan—United States of America, Czechoslovakia, France, Great Britain, Hungary, Italy, the Netherlands, Roumania, the Kingdom of the Serbs, Croats and Slovenes, Sweden and Switzerland.

3. Believes that the association of these countries in co-operative work of this kind both reflects an improvement in political relations and that it has led, and will lead, to beneficial results extending beyond the financial reconstruction which is the primary object of the scheme.

4. Observes in particular that the principle of reconstruction based upon the re-establishment of sound public finance has been successfully combined with an arrangement limiting and fixing over the next twenty years payments in respect of Treaty charges; and that, as in the case of Austria, the execution of the work rests upon a control exercised impartially through a high officer of the League—a national of the United States of America.

5. Observes that once again the immediate end to which the authors of this plan have addressed themselves in financial rather than economic in character, in the belief that the renewal of confidence brought about by a sound financial policy will have a beneficial effect on the economic condition of the country. In this connection the Assembly desires, however, to emphasise the importance of the Financial Committee's recommendations as to economic policy and development. It hopes that the work begun in Hungary—as in Austria—may be completed by such national or international measures and agreements as will foster the resumption of free and normal trade relations.

6. Desires once more to express its appreciation to the members of the Financial Committee, whose ability, patience and judgement have produced a plan based, like the Austrian one, on general principles of sound finance, but adapted to the peculiar conditions of another country; to the Hungarian Government for the energy and despatch with which it has entered into the plans prepared with its collaboration; to those—and in

particular to Mr. Jeremiah Smith, Commissioner-General—whose administrative work has set the plan working with every prospect of its reaching a successful conclusion; and lastly, to all those who in many countries have brought about the issue of the entire reconstruction loan.

7. Observes with pleasure that all the internal legislation required by the scheme has been passed; that the new National Bank has been founded and that inflation has stopped; that the administrative reforms have begun; that taxation receipts are improving, the yield of the revenues assigned for the service of the loan far exceeding the conservative estimates made at the time the scheme was constructed; and in general that the scheme has been well launched under the best auguries for its complete success.

RECONSTRUCTION OF AUSTRIA.

23. An account of the progress made in the reconstruction of Austria in accordance with the scheme adopted in 1922 was contained in the Report of the Financial Committee to the Council which was summarised in the General Report of the Council to the Fifth Assembly. During the early months of 1923 Austria passed through an industrial, agricultural, and financial crisis, chiefly due to a wave of speculation which had swept over the country and resulted in losses on exchange amounting to 58 million French francs. Since that date the Financial Committee had recommended to the Austrian Government that the accounts of Austrian companies should be drawn up as far as possible on a gold franc basis, that a legal relationship should be established between the Austrian crown and an actual weight of gold, and that changes should be made in certain forms of taxation and in the present financial legislation of Austria. The object of these measures was to re-establish Austrian credit. The Financial Committee pointed out that the chief need of Austria was foreign capital, and that an increase of confidence would be created if measures were taken to bring foreign capital into the country. The measures adopted by the Austrian Government as a result of the recommendations of the Financial Committee had already remedied the financial crisis, and it was to be hoped that the realisation of budget equilibrium which had been achieved would eventually bring about a sounder economic position.

The Assembly adopted on the 25th September the following Resolution:—

“ The Assembly is glad to note the progress in the work of Austrian reconstruction taken in hand under the auspices of the League of Nations.

Assembly Resolution
No. 17 (25 Sept.).

It notes the decision of the Council prescribing the conditions under which the system of budget control can properly be modified at an early date and subsequently terminated.”

OTHER WORK OF THE FINANCIAL COMMITTEE.

24. (a) *Greek loan.*—After the conclusion of the Fourth Session of the Assembly the Council approved, and Greece signed, after negotiations with the Financial Committee, a Protocol creating a Refugee Settlement Commission, and containing provisions for facilitating an international loan to supply the necessary funds for the settlement of these refugees. During the year 1923, as a result of the events in Asia Minor, an enormous horde of refugees, estimated at over one million, fleeing from Asia Minor, had scattered over Thrace, Macedonia and Greece. The Refugee Commission is composed of four members, of whom two are Greeks and two are appointed by the League of Nations, viz., Mr. Henry Morgenthau (Chairman), formerly United States Ambassador, and Mr. J. Campbell, Indian Civil Service (retired). The Commission, in co-operation with the Greek Government, has been able to obtain from the Bank of England advances up to 3,000,000*l.* paid through the National Bank of Greece. Greece is authorised to issue an international loan up to a maximum of 10,000,000*l.* by the Protocol drawn up on the recommendation of the Financial Committee. The loan is to be secured on land and houses occupied by the refugees, the repayments made by the refugees of the advances made to them, and—most important—fiscal securities to be assigned by the Greek Government to the service of the loan (customs, tobacco, liquor duties, etc.). Hitherto the situation of the general position of the money market has prevented the Greek Government from issuing the loan. The Financial Committee of the League has advised that adequate security for a loan of 10,000,000*l.* can now be offered. The Assembly adopted on the 25th September the following Resolution:—

1. The Assembly learns with great satisfaction the progress made during the last year in the difficult and important task of settling the Greek refugees in productive employment.

It notes the establishment and successful working of the Greek Refugees Settlement Commission; the arrangements made to finance the

Assembly Resolution
No. 15 (25 Sept.).

work of the past year through temporary advances amounting to £3,000,000 sterling; the allocation of suitable land by the Greek Government; the housing and establishment upon the land and, to a smaller extent, in industry of a large proportion of the refugees.

The Assembly further notes with satisfaction the improvement in the stability of Greek political conditions, the improved economic position, and the maintenance of a steady value of the Greek currency.

It is glad to learn that the Council, on the advice of the Financial Committee, considers that the time has now arrived when the whole scheme may be placed upon a definite financial basis by the issue of the long-term loan; and that, in view of the above favourable circumstances, the land and revenues proposed for assignment in the Protocol afford a sufficient security for the total sum of £10,000,000 required to complete the work of establishing all the suitable refugees.

The Assembly expresses in conclusion the earnest hope that the loan may be successfully issued and that the whole of the undertaking, so vital to the economic and political stability of Greece may be carried through to a successful conclusion.

(b) *Other Questions.*—The Economic and Financial Organisation have continued their work in connection with the Free City of Danzig, the periodical publications of the League of Nations on financial subjects, and the study of the problems of fiscal evasion and double taxation. The Assembly adopted on the 25th September the following Resolution on this subject:—

The Assembly, in addition to the special resolutions concerning the reconstruction of Austria and Hungary, and the proposal of an international loan in favour of the Greek refugees:

Notes with satisfaction the other work of the Economic and Financial Organisation in the financial sphere, particularly as regards the Free City of Danzig, the periodical publications of the League of Nations on financial subjects, and the study of the problems of fiscal evasion and double taxation.

As regards the latter point, it hopes that the agreement of principle already reached by the experts will rapidly be given final shape and applied on the lines which may be determined by the Financial Committee and the Council.

WORK OF THE ECONOMIC COMMITTEE.

25. The Second Committee discussed the work of the Economic Committee at its meeting on the 20th September. The Report of the Committee on this subject is reproduced in Appendix III. Particular satisfaction was manifested at the success of the Conference on Customs Formalities held at Geneva in November

1923, and the progress made in the signature and ratification of the Convention for the Simplification of Customs Formalities then adopted. The representatives of Italy, Hungary and South Africa laid stress on the need for removal of all hindrances to international commerce in the nature of import restrictions. The Resolution proposed by the Second Committee on the subject was adopted in the Assembly on the 25th September. It reads as follows:—

1. The Assembly records with great satisfaction the success achieved by the International Conference for the Simplification of Customs Formalities and hopes that the Convention at which the Conference arrived may be ratified with the shortest delay by the largest possible number of States. It notes, further, that the Convention constitutes only the first, though a very important, stage in the improvement of international commercial relations, and it hopes that the Economic Committee will do its utmost to make further progress in the same direction;

2. Takes note of the proposals of the Committee aiming, by means of amendments and additions to the Industrial Property Convention, at more effectual protection against unfair competition, and expresses the hope that these proposals may receive the support of the States Members on the occasion of the forthcoming Conference for the Revision of the Convention for the Protection of Industrial Property;

3. Takes note of the investigations of the Economic Committee regarding the protection of the foreign buyer against worthless goods, and of the conclusions reached. The Committee strongly urges that all the arrangements provided in exporting countries for testing, verifying, and certifying the quality of goods should always be freely available for the benefit of the foreign buyer as well as for that of the home consumer, and that these facilities should be developed and extended and their existence be brought to the knowledge of foreign buyers by suitable methods of publicity;

4. Notes the progress made by the Economic Committee in the study of the question of the treatment to be accorded to foreign nationals and enterprises in the study of economic crises and with regard to the unification of methods of statistics;

5. Again draws the attention of the States Members to the great benefit which international trade would derive from the prompt ratification by the largest possible number of States of the Protocol on Arbitration Clauses;

6. With reference to paragraph 1 of Article 3 of the Convention relating to the Simplification of Customs Formalities, which has already been signed by thirty-one States and ratified by six;

Considering that the system of import and export prohibitions and restrictions constitutes a serious impediment to the free development of international trade, and also

That the general situation might in future be favourable to action in this sphere;

Desires the Council to instruct the Economic Committee 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. Provisions relating to the protection of the vital interests of States shall not be affected.

• INTELLECTUAL CO-OPERATION.

26. The Report of the Committee on Intellectual Co-operation was discussed on the 13th, 16th, 17th and 18th September in the Second Committee. On the 12th September the Council had adopted a resolution accepting in principle the offer by the French Government of an Institute of Intellectual Co-operation in Paris, together with funds amounting to a million French francs a year for its endowment, and had referred for consideration in the Assembly the following points:—

- (1) The finance of the new Institute.
- (2) The administrative and juridical conditions governing its work.
- (3) The relations between it and the existing international intellectual Institutes.

Professor Gilbert Murray, in opening the discussion in the Committee, pointed out that the record of the work of the Committee on Intellectual Co-operation during the past year was a limited one, owing to the fact that the resources placed at its disposal, about 132,000 Swiss francs, were wholly insufficient. The chief objects of study by the Committee had been the question of the supply of books and publications, Signor Ruffini's plan for extending the system of patents to intellectual property, the elaboration of a common system of analytical bibliography, the drafting of a Convention for the exchange of publications, the publication of a semi-official list of the most important publications in all countries, a bulletin of University information, the collation of information on educational administration and the system of exchange of professors and students. Other speakers, including Professor Bergson (France), a Member of the Committee on Intellectual Co-operation, and M. de Brouckère (Belgium), drew attention also to the insufficiency of the funds at the disposal of this organisation. Considerable time was occupied in the discussion of the

replies to be given to the Council's inquiries regarding the Institute of Intellectual Co-operation offered by the French Government. It was held by Mr. Charlton (Australia) that it was a dangerous precedent to allow an Institute of this character to be set up in the capital of an individual State, and that its control by the League would be impossible there. The question of the nature of the control to be exercised from Geneva was one of some difficulty. While Professor Gilbert Murray was of opinion that the staff employed at the Institute should be under the control of the Secretary-General, the Secretary-General saw difficulty in extending his functions to this extent. Finally, it was determined to recommend to the Council that the powers and duties of the Institute should be defined by the Committee on Intellectual Co-operation in accordance with principles laid down by the Committee itself and with the instructions of the Council and the Assembly; that agreements necessary to ensure the establishment, continuity, and proper working of the Institute should be drawn up by the Council; that under these agreements the administration of the Institute should be entrusted to the Committee on Intellectual Co-operation, under which a Committee of Directors, comprising five persons of different nationalities, should be appointed; that the budget and accounts of the Institute should be communicated to the Council and Assembly; that the accounts should be audited by the Chief Auditor for the League; and that the relations between the Paris Institute and other institutions of an intellectual character should be determined by the Committee on Intellectual Co-operation.

Professor Gilbert Murray presented the Report on the work of the Committee on Intellectual Co-operation to the Assembly. Mr. Charlton (Australia) again pressed his objections to the acceptance of the French Institute, and was supported by Sir James Allen (New Zealand). Sir Muhammad Rafique, in a speech which we quote in full in Appendix IV, said that the continuance of the work of the Committee on Intellectual Co-operation was necessary. If, in order to maintain the essentially international character of the enterprise, it was necessary to establish the Institute at Geneva, the League must consent to make the necessary sacrifices in

See p. 1201.

order to ensure the development of intellectual co-operation. If the offer of France were rejected, it was for the Assembly to vote the necessary credits. Sir Muhammad went on to point out that the efforts of the Committee on Intellectual Co-operation would result in spreading a wider knowledge of Indian culture and in developing collaboration between the East and the West; and that it would acquire a new force and value if it remained in close contact with the Indian Universities, not only those which had been founded upon the Western model, but also the great Hindu and Muhammadan Universities established by the Governments, Princes and peoples of India. Finally, in response to an appeal from M. Jouvenel (France), Sir Littelton Groom (Australia) stated that the Australian Delegation would not oppose the proposals of the Second Committee for acceptance of the offer of the Institute. It merely wished to emphasise the principle that institutions connected with the League of Nations should, as far as possible, be concentrated at the seat of the League. The following Resolutions and Recommendation were adopted unanimously by the Assembly:—

1. The Assembly records with great satisfaction the fact that the system of forming national committees on intellectual co-operation is making steady progress.

It requests the Council to make further representations to the Governments of those States which have not yet formed such national committees, inviting them to promote the creation of such committees and, if possible, to give them financial support in their work of mutual assistance in intellectual matters.

2. The Assembly shares the opinion of the Council that it would be highly desirable to convene a conference of experts to consider the various problems raised by the question of scientific property, especially in the reports of Senator Ruffini and the replies of the various Governments regarding this question. It requests the Committee on Intellectual Co-operation to organise such a meeting in 1925, after consultation with the Economic Committee.

3. The Assembly notes with satisfaction the important results obtained by the Committee on Intellectual Co-operation in regard to the co-ordination of bibliographical work in the domain of physics, and requests the Committee to undertake a similar task in regard to the other sciences, particularly the social sciences.

4. The Assembly, noting that the Council has approved in principle the draft agreement with the Institut international de Bibliographie at Brussels, approves this agreement.

5. The Assembly adopts the report of the Committee of Experts on the international exchange

of publications. It relies on the good offices of the Belgian Government to obtain the partial adherences to the Brussels General Convention of 1886, provided for in the first resolution of the Committee of Experts.

It also requests the Council to invite all States, whether signatories of the Conventions of 1886 or not, to consider the possibility of accepting the new Convention for the Exchange of Scientific and Literary Publications proposed by the Committee.

6. The Assembly instructs the International University Information Bureau to embody in one draft all the recommendations of the Committee on Intellectual Co-operation in university matters.

In view of the proposals made by the Spanish Government at the fourth Assembly, and the suggestion made at the Second Committee by the Persian delegate with regard to the equivalence of degrees, the Assembly asks all States to communicate what steps they have taken, or intend to take, in the direction indicated by the Committee on Intellectual Co-operation, with a view to attaining as far as possible the aims referred to in the said proposals.

7. The Assembly, noting with satisfaction that a considerable number of States having replied favourably to the recommendation adopted last year that students should be provided with special travelling facilities, invites all the States—

- (a) To consider favourably applications from students' associations for measures to facilitate interchanges of students;
- (b) To grant similar travelling facilities to duly qualified teachers and scholars going abroad in the interests of science;
- (c) To found scholarships for the purposes indicated in paragraphs (a) and (b).

8. The Assembly, being convinced of the necessity of solidarity among the nations, and having witnessed the results of such solidarity in certain countries in the sphere of economics and finance, would be happy to see this principle applied in the sphere of intellectual life.

It invites the Committee on Intellectual Co-operation to examine and, if necessary, to refer to the Financial Committee the question of an international loan, under the supervision of the League of Nations, intended exclusively for intellectual development in the countries of those Members of the League which may desire it.

9. The Assembly expresses the wish that the Committee on Intellectual Co-operation should make—under the Council's authority—the same appeal to the universities, academies and other scientific bodies, on behalf of the intellectual workers of Hungary, which it made in November 1922 on behalf of the intellectual workers in Austria. The Council is respectfully asked to act with regard to that matter in the same way as it acted in the case of Austria.

10. The Assembly, being convinced of the fundamental importance of familiarising young people throughout the world with the principles and work of the League of Nations, and of training the younger generation to regard international co-operation as the normal method of conducting world affairs;

In view of the resolutions adopted by the fourth Assembly regarding the encouragement of contact between young people of different nationalities, and concerning the instruction of youth in the ideals of the League of Nations:

Is of opinion that further steps should be taken to promote these objects;

And therefore instructs the Secretariat to investigate the means by which efforts to promote contact and to educate the youth of all countries in the ideals of world peace and solidarity may be further developed and co-ordinated, and to furnish a report to the sixth Assembly.

Recommendation.

In reply to the three questions asked by the Council,

In view of the fact that the above resolutions and, in general, the whole programme of the League of Nations as regards intellectual co-operation will be carried out more easily with the assistance of the International Institute which the French Government has proposed to found and place at the disposal of the League of Nations, the Assembly notes that the Council has accepted, in principle, this generous gift, for which it desires to express its deepest gratitude.

Being desirous of emphasising the international character which this Institute should possess, both as regards the programme of its work and the choice of its staff in accordance with the intention of the French Government and of the Council:

The Assembly expresses the following recommendation:

(a) The powers and duties of the new Institute shall be defined by the Committee on Intellectual Co-operation in accordance with the principles laid down by the Committee itself—after such consultations as may be necessary to avoid overlapping—and with the instructions of the Council and the Assembly. These powers and duties may subsequently be enlarged by the Committee with the consent of the Council and the Assembly.

(b) The Council of the League of Nations is invited to conclude with the French Government all agreements necessary to ensure the establishment, continuity and proper working of the Institute.

In accordance with these agreements, the administration of the Institute shall be entrusted to the Committee on Intellectual Co-operation, acting as a governing body. The latter shall, with the approval of the Council, appoint five persons of different nationalities, who shall form a Committee of Directors. The powers and duties of the Committee of Directors, which shall meet at least once every two months, the term of office of its members and the system of rotation by which its membership shall be renewed, shall be determined

by the Committee on Intellectual Co-operation.

The budget and accounts of the Foundation will be communicated to the Council and the Assembly. The accounts will be audited at least once a year by the Chief Auditor of the League, and his report will be annexed to the budget and the accounts.

(c) The Committee on Intellectual Co-operation shall determine in each case, after consulting the parties concerned and in agreement with them, the relations with the International Institute of the institutions mentioned in the resolution of the Council, or any other institutions of an intellectual character.

The Committee on Intellectual Co-operation will be ready to collaborate with these institutions with a view to solving particular problems, without, however, interfering in any way with their autonomy.

After the adoption of the Resolution, Mr. Charlton explained that personally he maintained his opposition to the proposal, although not entitled to vote against it.

ORGANIZATION FOR COMMUNICATIONS AND TRANSIT.

27. The work of this Organization was discussed in the Second Committee on the 18th September. Special stress was laid on the agreements concluded at Geneva in December 1923 relating to the International Régime of Railway and Maritime Ports and electrical questions, but it was pointed out by Sir Hubert Llewellyn Smith (Great Britain) that their results would only remain provisional so long as States which had co-operated in negotiating the Conventions refrained from signing and ratifying them. M. Privat (Persia) urged the necessity for a revision of the London Convention of 1912, in view of the enormous development in radio-telegraphy, and recommended that special rates should be given by States Members of the League to Esperanto, side by side with the national languages in use, as a language enclaire in telegraphic and radio-telegraphic communications. The Brazilian Delegation emphasised the importance of the technical work carried out by the Organisation in regard to maritime signalling (buoys, lighting of coasts, etc.). The following Resolution*

* The Report of the Second Committee on the Organization for Communications and Transit is reprinted on p. 1203.

was adopted by the Assembly at its meeting on the 20th September :—

1. The Assembly notes with satisfaction the report of the Advisory and Technical Committee for communications and Transit on the work accomplished by the Organisation for Communications and Transit between the fourth and fifth Assemblies;

Expresses its gratification at the success of the second General Conference on Communications and Transit and hopes that as far as possible the States whose Governments have voted the Conventions adopted will, before the closing of the Protocol of Signature, sign the Conventions and will proceed to the necessary ratifications as soon as possible;

Gives its general approval to the procedure adopted by the Advisory and Technical Committee for Communications and Transit in conducting its investigations and solving the disputes submitted to it;

And invites the Governments concerned to facilitate, as in the past, the work of the Committee for Communications and Transit and its Sub-Committees, with a view to the general improvement of the regime of transport and to the development of international law in the domain of international communications, in conformity with Article 23 (e) of the Covenant.

2. The Assembly draws the attention of the Council to the extreme urgency of giving effect to the proposal already submitted to the Council for a revision of the London Convention of 1912, particularly in view of enormous development in radio-telephony.

3. The Assembly recommends that the States Members of the League of Nations should grant to Esperanto as a practical auxiliary language for international communications side by side with the national languages in use, the treatment and the charges in force for a language en clair in telegraphic and radio-telegraphic communications. It draws the attention of the Organisation for Communications and Transit to this question.

HEALTH ORGANISATION.

28. Reference has already been made in para. 13 of our Report to the question of the relations between the Health Committee of the League and the International Office of Public Health. The work of the Health Organisation of the League was discussed in the Second Committee on the 11th, 12th and 13th September. It was proposed by Dr. Caballero (Paraguay), who had been appointed *rapporteur* on this subject, to approve without much comment the programme of the Health Committee and the results already obtained by its work. The Maharajah of Bikaner pointed out (in a speech which we report in full in Appendix IV) the need for closer

contact between the Permanent Committee of the International Office of Public Health in Paris and the Health Committee of the League, especially in view of the fact that many Governments represented on the former body had no direct representation on the Health Committee of the League. His suggestion was that the opinion of the Permanent Committee of the International Office might be obtained on the programme of work proposed by the Health Committee before it was finally adopted by the Assembly. The views of the Maharajah were supported by the British, Netherlands, and South African Delegates. On the proposal of the Dutch Delegate a sub-Committee was appointed to consider the relations between the Health Committee and the Permanent Committee of the International Office of Public Health. In the sub-Committee the Director of the Health Section of the League raised a number of objections to the proposal of the Maharajah. He maintained, in particular, that it would be unconstitutional for a body outside the organisation of the League to review the work of an organ of the League. It was, however, pointed out by M. van Eysinga (Netherlands), who was supported by M. Pironti (Italy), that the internal regulations of the Health Organisation themselves provided for close collaboration between the Health Committee and the Permanent Committee of the International Office in its capacity of Advisory Health Council of the League. A resolution drafted by the sub-Committee was brought before the Second Committee on the 12th September, and adopted in the following form by 24 votes to 5 :—

“The Assembly requests the Health Committee to communicate to the Permanent Committee of the Office International d’Hygiene Publique at Paris the report setting out the questions with which the Health Committee proposes to deal (a procedure in conformity with Article 4* of the Rules of Procedure) at such a date as to permit the Committee to make before the next Assembly any observations to the Health Committee which appear to it desirable.”

*The Rules of Procedure referred to are those of the Health Committee of the League.

The Chairman then declared that he ruled that the resolution raised a constitutional issue, and therefore, as it had not been carried unanimously, it fell to the ground. After the meeting separated, the Maharajah of Bikaner wrote to the Chairman, contesting the ruling, asserting that the resolution dealt with procedure, not with the constitutional position, and that it simply recommended a course of procedure with a view to the observance of Article 4. His Highness intimated his intention of raising the question on a point of order at the next meeting of the Committee. No reply was received to the letter, but ultimately in the official record the resolution was stated to have been passed by 24 votes to 5, without any reference to the constitutional issue, and at the next meeting of the Committee the Chairman intimated to the Maharajah that, on consideration, he had decided that the majority vote of the Committee should stand.

A further question arising out of the work of the Health Section was the reduction recommended by the Financial Supervisory Commission in the budget of the Organisation proposed by the Health Committee. It was maintained by various members of the Committee that the reduction of the health budget by the sum of 250,000 francs would seriously interfere with the efficiency of the Organisation, and it was finally decided to transmit to the Fourth Committee the minutes of the meetings of the Second Committee held on 11th and 12th September, setting forth the views of the latter regarding the value of the work of the Health Organisation. The final decision on this question is discussed under the heading of the budget in the proceedings of the Fourth Committee.

Before the meeting of the Assembly on the 20th September, at which the work of the Health Organisation was to be discussed, it was intimated to us by the British Delegation that certain minor alterations had been suggested in the form of wording of the paragraph of the resolution dealing with the relations between the Health Committee and the Permanent Committee of the Paris office, which, if accepted, would prevent opposition to the passing of the resolution in the Assembly on the part of the delegations forming the minority in the

Committee. The Assembly adopted unanimously the following Resolution,* para. 5 of which had been redrafted with the concurrence of the *rapporteur* and of the Indian Delegation:—

1. The Assembly, after examining the report Resolution No. 6 of the Health Committee (20 Sept.) on the work accomplished

by the Health Organisation between the fourth and fifth Assemblies, notes with satisfaction that the Health Committee has been definitely constituted in accordance with the scheme approved by the Fourth Assembly.

2. The Assembly considers that the work accomplished by the Health Organisation is in conformity with the duties entrusted to it by Article 23 (f) of the Covenant, and that it is instrumental in promoting valuable international co-operation in health matters.

3. The Assembly approves the work of the Service of Epidemiological Intelligence and Public Health Statistics and the results obtained from the carrying out of the system of interchanges of public health personnel. The Assembly notes with pleasure the results obtained through the efforts of the Health Committee in connection with the standardisation of sera and biological products. It considers that the most valuable results may be anticipated from the enquiry which has been undertaken into mortality from cancer, and that the work of the Malaria Commission is calculated to furnish valuable assistance to the administrations most vitally concerned. The Assembly is gratified to note that the Health Committee has responded to the requests of several Governments by placing at their disposal investigators and technical advisers on matters of public health. It approves the establishment of a Bureau of Epidemiological Intelligence in the Far East.

4. The Assembly requests the Health Organisation to take into consideration in due course the study of the problem of physical education and to investigate the means for its general extension on rational principles. It further requests the Health Committee to undertake an enquiry as to the value of preventive measures against tuberculosis, taking into account the proposition presented by the Government of the Kingdom of the Serbs, Croats and Slovenes.

5. The Assembly asks the Council to suggest to the Health Committee the desirability of communicating to the Permanent Committee of the Paris Office international d'hygiène publique the report setting out the questions with which the Health Committee proposes to deal (which is referred to in Article 4 of the *Règlement intérieur*), at such a date as to permit the Committee to make, before the next Assembly, any observations to the Health Committee which appear to it desirable.

Before the adoption of the resolution, the Italian and Polish Delegations made declarations to the effect that they interpreted the fifth paragraph to mean that the Report mentioned in the resolution would indicate the questions on which it was desirable, before the next meeting

* The Report of the Second Committee on the Work of the Health Organisation is reproduced on p. 1204.

of the Assembly, for the International Office of Public Health to send to the Health Committee of the League of Nations "such observations as appeared to it desirable." It was ascertained privately by the Indian Delegation that this declaration was not interpreted as weakening the force of the clause in question, and it was accordingly not challenged.

OFFER BY THE ITALIAN GOVERNMENT OF AN INSTITUTE FOR THE UNIFICATION OF PRIVATE LAW.

29. On the 26th September the Italian Delegation announced in the Assembly that, following the example already given by France in founding an Institute for Intellectual Co-operation, the Italian Government had decided to found a similar Institute at Rome for the unification of private law. The offer of the Italian Government was referred for the consideration of the Second Committee. On the 28th September the offer was discussed in the Second Committee, where it was pointed out by the Netherlands Delegate that the functions of the Institute would require to be carefully defined, in order that its work might not overlap with that of other bodies. Finally, on the 30th September, the following Resolution was presented to the Assembly on behalf of the Second Commission by Professor Gilbert Murray (British Empire), and adopted:—

The Assembly of the League of Nations expresses its deepest gratitude to the Italian Government for its generous offer to found an International Institute for the Unification (Assimilation and Co-ordination) of Private Law, under the direction of the League of Nations.

The Assembly, recalling the terms of its resolution, dated the 23rd September, 1924, with regard to the International Institute for Intellectual Co-operation, invites the Council to accept this offer, in the name of the League of Nations, and, being desirous of emphasising the international character which this Institute should possess, both as regards the programme of its work and the choice of its staff, in accordance with the intention of the Italian Government:

Resolves:

- (a) The powers and duties of the new Institute and the constitution of its Governing Body and Committee of Directors shall be defined by the Council of the League of Nations in agreement with the Italian Government;
- (b) The Assembly invites the Council of the League of Nations, after consultation with the competent organs (including

the Committee of Experts contemplated in the resolution of the Fifth Assembly dated the 19th September, 1924, the Committee on Intellectual Co-operation, and the Technical Organisations of the League of Nations), to conclude with the Italian Government all agreements necessary to ensure the establishment, continuity and proper working of the Institute. In accordance with the desire of the Italian Government, the general principles to be embodied in such agreements shall be analogous to those laid down in connection with the International Institute for Intellectual Co-operation which is to be established in Paris.

Care shall be taken, by means of consultation, to avoid all overlapping.

**Subjects referred to Committee III.
(Armaments.)**

30. Most of the sittings of Committee III were occupied in the discussion of the terms of the Protocol which, in conjunction with the First Committee, the Committee undertook to prepare as the outcome of Resolution No. 1 of the Assembly on the 6th September, and of the replies of Governments regarding the draft Treaty of Mutual Assistance. This part of the work of the Committee has already been summarised in paras. 4—12 of our Report.

31. In connection with the drafting of the Protocol the Committee discussed the question of the convening of an International Conference on Disarmament, as provided for in Article 17 of the Protocol. The Committee decided that it was the function of the Council to prepare the programme for this Conference, but considered it desirable to make certain suggestions and recommendations in the following Resolution which was adopted by the Assembly on the 2nd October:—

I. The Assembly recommends the Council to place the question of Regional Agreements for the Reduction of Armaments on the agenda of the International Conference for the Reduction of Armaments.

II. Whereas the majority of the States which have replied have stated that, with certain exceptions, they have not exceeded the expenditure on armaments shown in their last budgets, and whereas the recommendation addressed to the Governments relates to the period which must elapse before the meeting of the International Conference for the Reduction of Armaments, which is to take place next year.

The Assembly does not consider it necessary to repeat the recommendation regarding the

limitation of expenditure on armaments, as this question is to be placed upon the agenda of the International Conference for the Reduction of Armaments.

III. The Assembly is of the opinion:—

- (i) That another technical conference on naval disarmament is unnecessary.
- (ii) That the question of naval disarmament should be discussed as part of the general question of disarmament dealt with by the International Conference proposed in the resolution of 6th September 1924, and that it rests with the Council to settle the programme.

IV. The Assembly requests that the Council, in preparing the general programme of the Conference for the Reduction of Armaments provided for in Article 17 of the Protocol, should consider the advisability of including in that programme the following points:—

- (i) General plan for a reduction of armaments in accordance with Article 8 of the Covenant, in particular:—
 - (a) Basis and methods of reduction (budget, peace-time effectives, tonnage of naval and air fleets, population, configuration of frontiers, &c.);
 - (b) Preparation of a typical budget for expenditure on armaments.
- ii) Special position of certain States in relation to the reduction of armaments:—
 - (a) Temporary reservations by countries exposed to special risks;
 - (b) Recommendation of regional agreements for the reduction (or limitation) of armaments.
- (iii) Recommendation of the establishment of demilitarised zones (Article 9).
- (iv) Control and investigation of armaments in the contracting States.

The Assembly also requests the Council to instruct the competent organisations of the League to examine the schemes relating to the above questions which have already been submitted to the Third Committee, or which may subsequently be received by the Secretariat, and to take them into consideration in preparing the programme of the Conference.

32. A sub-Committee was appointed, under the chairmanship of General de Marini (Italy), including the Maharajah of Bikaner, to consider the following matters:—

- (a) The draft Convention concerning the control of international traffic in arms drawn up by the Temporary Mixed Commission (Appendix II);
- (b) The statistical information relating to the traffic in arms published by the Secretariat as a result of a decision of the Council;

- (c) The Reports of the Temporary Mixed Commission and the Economic Committee relating to the private manufacture of arms.

At a meeting of the sub-Committee held on the 18th September, the Secretary-General communicated a letter from the United States Minister at Berne stating that his Government would be ready favourably to consider an invitation to take part in an international Conference to conclude a Convention for the control of the arms traffic. The urgent necessity for imposing a stricter control on the arms traffic had already been strongly emphasised by the Maharajah

of Bikaner, in his speech in the Assembly on the 5th September, as well as by the Prime Ministers of Great Britain and France. The sub-Committee, recognising the urgency of the matter, decided not to discuss the details of the draft Convention for the control of arms traffic but to recommend that it should be communicated without delay to the States Members of the League and other Governments for their consideration, with a view to a conference being summoned at an early date. The Assembly adopted on the 27th September the following Resolution in accordance with the recommendations of the Third Committee:—

I.—*Control of the International Trade in Arms, Munitions and Implements of War.*

The Assembly requests the Council to submit to the Governments of States Members and non-Members of the League of Nations, the draft Convention relating to the Control of the International Trade in Arms, Munitions and Implements of War drawn up by the Temporary Mixed Commission, and to request these Governments to inform the Secretary-General, before the Council meets in December, whether they are prepared to take part in a Conference to be convened in April or May 1925 for the purpose of discussing this draft Convention.

II.—*Statistical Enquiry on the Trade in Arms, Munitions and Implements of War.*

The Assembly, having taken note of the statistical data relating to the trade in arms, munitions and implements of war published by the Secretariat of the League of Nations in pursuance of a decision of the Council, expresses its satisfaction with the work accomplished and requests the Council—

1. To instruct the Temporary Mixed Commission carefully to consider the information already published and to submit

a report on the characteristic features of the trade in arms, munitions and implements of war, as disclosed by this enquiry based on official and public documents, and on the conclusions to be drawn therefrom;

2. To ensure the periodical publication by the Secretariat of the statistical data concerning the trade in arms, munitions and implements of war;
3. To invite States Members and non-Members of the League of Nations to transmit to the Secretariat all documents which they may consider likely to be of assistance in the preparation of this work.

III.—*Private Manufacture of Arms, Munitions and Implements of War.*

The Assembly, having taken note of the reports of the Temporary Mixed Commission and the Economic Committee on the control of the private manufacture of arms, munitions and implements of war—

1. Requests the Council to invite the Temporary Mixed Commission to investigate this question anew and with an entirely open mind, and to prepare a draft International Convention, taking into account any new circumstances which may have arisen since the report of the Temporary Mixed Commission was submitted to the fifth Assembly.

It is intended that this shall serve as a basis for the discussions of an International Conference to be convened for the purpose of concluding a Convention for the Control of the Private Manufacture of Arms, Munitions and Implements of War.

2. The Assembly also requests the Council to consider the question of inviting the Government of the United States of America to send representatives to cooperate with the Temporary Mixed Commission in preparing the draft Convention for the Control of the Private Manufacture of Arms, Munitions and Implements of War.

33. The following questions, also raised in the Report of the Temporary Mixed Commission, were referred to another sub-Committee under the Chairmanship of Count Skrzynski (Poland):—

- (1) The co-ordination of the work of the Temporary Mixed Commission for the Reduction of Armaments and of the Permanent Advisory Commission on military, naval and air questions.
- (2) Chemical warfare.
- (3) The Military Year Book relating to Naval Armaments.

The following Resolutions were proposed by the sub-Committee and adopted

on the recommendation of the Third Committee by the Assembly on the 27th September:—

IV.—*Co-ordination of the Work of the Temporary Mixed Commission and the Permanent Advisory Commission.*

Whereas the work of the League of Nations in connection with the reduction of armaments is entering this year upon a period of re-organisation which requires the direct attention of the Council:

The Assembly entrusts to the Council the question of the co-ordination of the work of its Commissions for the Reduction of Armaments.

The Assembly recommends the Council to re-organise the Temporary Mixed Commission in conformity with the following principles:

1. The Commission shall include the representatives of a certain number of Governments;
2. The Commission shall include qualified delegates of the technical organisations of the League of Nations, that is to say:
 - Representatives of the Economic Committee,
 - Representatives of the Financial Committee,
 - Representatives of the Transit Committee,
 - Representatives of the Permanent Advisory Commission,
 - Representatives of the Employers' and Labour Groups of the International Labour Office,
 - Experts, jurists or others elected by the Council.
3. Delegates of States not represented on the Commission may be invited to attend whenever the Commission thinks fit.
4. The Council will invite any States not Members, of the League of Nations which may have notified their intention of taking part in the Conference for the Reduction of Armaments to appoint representatives to participate in the work of the Commission.

V.—*Chemical Warfare.*

The Assembly, having examined the report of the Temporary Mixed Commission with regard to the probable effects on warfare of chemical discoveries;

Being convinced that the means which modern science places at the service of warfare renders the latter a great danger to civilisation;

Recalling the seventh resolution of the Third Assembly regarding the adherence of all States to the Treaty concluded at Washington on the 6th February, 1922, concerning the use of asphyxiating gases in time of war:

Requests the Council, if it considers it desirable, to publish the report of the Temporary Mixed Commission and, if advisable, to encourage the work of making information on this subject generally accessible to the public; •

Noting, on the other hand, the facility and rapidity with which factories for producing chemical substances required in peace-time can be transformed into factories for chemical warfare:

Recommends that the attention of public opinion throughout the world be drawn to the necessity of endeavouring, in the first place, to remove the causes of war by the pacific settlement of disputes and by the solution of the problem of security, in order that nations may no longer be tempted to utilise their economic, industrial or scientific power as weapons of war.

VI.—Military Year-Book.

The Assembly, having noted with great interest the preparation of the Military Year-Book:

Desires to express its satisfaction with the valuable work which has been accomplished and which represents a genuine step towards the fulfilment of the obligations assumed by the signatories of the Covenant in the final paragraph of Article 8;

And requests the Council to arrange for the continuation of this work on the lines laid down by the fourth Assembly, to which the Secretariat has adhered in preparing this first volume, special attention being given to that part of the Year-Book which deals with industrial and economic resources capable of being utilised for war.

Subjects referred to Committee IV. (Budget and Financial Questions).

34. M. de Vasconcellos (Portugal) was appointed by Committee IV to present a general report on the questions referred to the Committee, with the exception of the following items, for the consideration of which sub-Committees were appointed:—

(a) Contributions in Arrears.

Chairman: M. Réveillaud (France).
(Lord Hardinge of Penshurst was a member of this sub-Committee.)

(b) Building of a Conference Hall.

Chairman: M. van Eysinga (Netherlands).

(c) Allocation of Expenses.

Chairman: M. Bignami (Italy).

(d) Pensions for the Staff of the Permanent Court of International Justice.

Chairman: M. Barboza Carneiro (Brazil).

(e) Reorganisation of the Latin-American Bureau.

Chairman: M. Buero (Uruguay).

The request of the Panama Government regarding its contributions prior to 1923 was also referred for the consideration of M. Réveillaud's Committee.

In M. de Vasconcellos' report (which we reproduce in Appendix III) a full account of the general work of the Fourth Committee appears. We also reproduce (Appendix II) a memorandum by the Financial Director of the Secretariat of the League, summarising the financial operations of the League and the action taken thereon in the Fifth Session of the Assembly. It remains to note on the outstanding features in these reports.

BUDGET FOR 1924.

35. The budget submitted to the Fourth Committee, after scrutiny by a Financial Supervisory Commission, amounted to 21,149,343 gold francs, as compared with a budget of 24,870,570 gold francs submitted to the Fourth Committee of the Fourth Assembly. It was considered necessary last year* to impose a policy of the strictest economy and reduction in all departments of the Secretariat, and particularly in the special organisations of the League. The results of this economy are to be seen in the very considerably reduced total of the budget presented for examination in this Assembly. The budget finally approved by the fifth Assembly amounted to 22,658,138 gold francs. The following are the main supplementary credits which involved the increase of the budget to this total.

Reduction of Armaments.

Following on the decision to summon an International Conference on Disarmament and to appoint an Expert Committee to propose amendments to the Covenant as a result of the acceptance by the Assembly of the draft Protocol for the pacific settlement of international disputes, the Committee voted, on the recommendation of the Supervisory Commission, a total credit for the Disarmament Section of the Secretariat amounting to 1,226,795 gold francs, out of which the sum of 500,000 gold francs represented the estimated cost of the International Disarmament Conference. The amount which had been included in the original estimates for the Disarmament Section was 612,320 gold francs only. It will thus be seen that the decisions relating to disarmament account for the main increase in the total of the budget.

*Page 18 of the Report of the Delegates to the fourth Assembly.

Health Organisation.

It has already been stated in our Report on the work of the Second Committee that the credit recommended by the Supervisory Commission was held by that Committee to be insufficient for carrying out the work of the Health Organisation. The Supervisory Commission had recommended the reduction of the grant demanded by the Health Committee from 861,300 gold francs to 604,580 gold francs. In particular, the Supervisory Commission had recommended the reduction of the estimate for special investigations into various diseases from 160,000 to 92,000 gold francs. As a result of the representations received from the Second Committee the Supervisory Commission proposed a supplementary credit of 75,000 francs towards the interchange of public health personnel. Sir Hubert Llewellyn Smith, supported by Lord Hardinge of Penshurst, strongly advocated that consideration should be paid rather to the insufficiency of the grant for special investigations. They considered that the amount provided in the budget for this purpose was wholly insufficient for carrying out investigations into such important subjects as malaria, the standardisation of sera, and the combating of disease by the use of insulin. Lord Hardinge thought that these investigations were of greater importance to India than the interchange of public health personnel, from which the outlying Members of the League were unlikely to obtain much benefit. In the course of the discussion it was eventually decided to increase the supplementary credit proposed by the Supervisory Commission to 130,000 francs, to be distributed as follows:—

Special reports and enquiries ...	50,000
Interchange of public health personnel ...	75,000
Sanitary notifications ...	5,000

The Indian Delegation was afterwards informed by the Director of the Health Section of the League that a scheme was under consideration for offering to India opportunities for participating in the work of interchange of health personnel.

Russian and Armenian Refugees.

No provision had been made in the budget of the Secretariat for carrying on the work connected with the High Commission for Refugees. The Fourth

Assembly had expressed the opinion that this work was not yet completed, but had recommended that efforts should be made to enable the High Commissioner to reduce his organisation. The Supervisory Commission, after the question had been discussed in Committee V, proposed to insert a special credit of 203,000 francs in the International Labour Organisation budget, for utilisation by the High Commissioner through the medium of that organisation if the negotiations in progress between the Governing Body of the Labour Organisation and the Council of the League resulted in the transfer of the work of the High Commission to the control of the former. The South African Delegation had strongly pressed in the Fifth Committee for investigation into the extent and probable duration of the work on behalf of the refugees before a decision transferring it to a permanent organisation of the League was taken. Some support was given to this view in the Fourth Committee, where it was generally considered that during the forthcoming year some final solution should be found for the question, in order that this appropriation should disappear from the budget of the League for 1926. It was, however, represented by the Fifth Committee that a definite recommendation to this effect in the Report of the Fourth Committee would create difficulty in transferring the work to the Labour Organisation. Ultimately it was decided to state in the Report of the Fourth Committee that the credit should be regarded as temporary and that the Committee hoped it would be possible for the item to disappear from the budget of the International Labour Office at the earliest possible moment.

Transfer of Armenian Refugees to the Caucasus.

A proposal having been received through the Fifth Committee for a supplementary credit of 50,000 francs for the purpose of investigation by the International Labour Organisation, in collaboration with Dr. Nansen, of the possibility of settling Armenian refugees in the Caucasus, the Committee decided, by 15 votes to 10, to adopt the supplementary credit provided that the title of the item were changed to "Settlement of Armenian Refugees." The condition was attached to the credit that the League should not necessarily be

committed as a result of the investigation to further expenses on this account. The delegate for India voted in the minority.

STAFF PROVIDENT FUND.

36. The Fourth Assembly decided, in a resolution* adopted on the 28th September 1923, to establish a compulsory pensions fund for the officials of the Secretariat and the International Labour Office. The Fourth Committee at this session approved the regulations drawn up by the Supervisory Commission for the Staff Provident Fund, together with its conclusions that no modifications entailing additional expenditure should for the present be made in the original scheme. Representations submitted by the staff of the two offices, alleging the inadequacy of the contribution to be made from the League finances in the scheme, having been communicated to the Fourth Committee, the Supervisory Commission was requested to give sympathetic attention to any proposals which might be made at a later stage by the staff as regards the administrative expenses of the fund, the reserve fund, and the death and invalidity fund. The Committee decided to amend Article 20 of the Regulations in order to give the Assembly, and not the Council, power to modify them except in cases of urgency. In such cases decisions taken by the Council would have to be ratified by the Assembly.

The Secretary-General and the Director of the Labour Office were requested to submit, for consideration by the Supervisory Commission, joint proposals for a revision of the Staff Regulations consequent upon the coming into effect of the Staff Provident Fund Regulations.

CONFERENCES AND MEETINGS OUTSIDE GENEVA.

37. The Committee associated itself with the recommendation of the Supervisory Commission that, in future, not more than one regional conference for each Organisation should be held during any one year. The following Resolution

was also adopted by the Committee regarding the holding of meetings of the League Organisations outside Geneva:—

The Fourth Committee:

Recognising the desirability of holding at Geneva the meeting of all the League Organisations both on account of the very considerable saving thereby effected in the finances of the League and in view of ensuring the smooth working of the Secretariat and of the International Labour Office;

Recommends that except for sufficient reasons all meetings contemplated in para. 1 should in future take place at Geneva;

Requests the Assembly to ask the Council and the Governing Body of the International Labour Office to call the attention of all Presidents of Commissions to this recommendation and to propose that particular mention should be made of the point in the next general report of the Commission.

FINANCIAL POSITION OF THE LEAGUE.

38. M. de Vasconcellos justly called attention in his report to the satisfactory financial situation of the League this year, though he pointed out that it was only as the result of the drastic economies made in the League budget of 1924 that this satisfactory position had been attained.

The financial year 1923 closed with a net surplus of 2,774,854.86 gold francs. Out of this surplus the sum of 1,635,274.41 gold francs has been set aside to provide for repayment of the special contribution levied in the budget of 1924 to make good the impairment which the working capital fund suffered in 1922. Each State which fully pays up its contribution for 1924 is entitled to receive this refund. Thus those States which have fully paid up their contributions before 31st December 1924 will receive at the beginning of 1925 a credit amounting to approximately 7 per cent. of the total contribution which they paid in 1924. The remainder of the surplus will be used to meet part of the cost of erecting the International Labour Office building.

In addition to this surplus a sum of 1,756,873.40 gold francs has been received from the Argentine Republic, representing its contribution towards the budgets of 1922 and 1923. This sum has been transferred to a special working capital fund account, the share of each State in the fund being indicated in the accounts. The Committee have suggested that this sum could, with the approval of subsequent Assemblies, be

* Page 22 of the Report of the Delegates to the Fourth Assembly.

used, as far as it goes, to finance the erection of the new Conference Hall.

The strength of the League's financial position is also shown by the following facts. In addition to carrying out its full programme of work, the League has, by completing the purchase of the Hotel National, become the owner of a building valued at 5,500,000 Swiss francs, has succeeded in carrying out a considerable part of the construction of the building to house the International Labour Office, is preparing to erect a building at its own expense for conference purposes on the land presented by the City of Geneva, and has, in addition, established a working capital fund of nearly 4,000,000 gold francs.

The following Resolutions were proposed by the Fourth Committee, and adopted by the Assembly on the 29th September:—

1. The Assembly of the League of Nations, 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 fifth financial period, ending the 31st December, 1923.

2. The Assembly, in virtue of Article 17 of the Regulations for the Financial Administration of the League:

Approves, for the financial year 1925, 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 amount of which, including supplementary credits, is 22,658,138 gold 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, and at the same time expresses to the Supervisory Commission its thanks for the services it has so well rendered.

4. The Assembly adopts the conclusions of the report of the Fourth Committee.

ARREARS OF CONTRIBUTIONS.

39. On the 1st September the sum of 4,710,381.15 gold francs were reported by the Secretariat as outstanding in respect of arrears of contributions. The sub-Committee to which we have already referred considered the representations of certain States whose contributions are in arrear at private sessions, and presented the following Resolution, which

was adopted by the Assembly on the 24th September:—

Assembly Resolution No. 27 (24th Sept.). The Assembly:

(a) Authorises the Secretary-General:

(1) To accept the Liberian representatives' proposal that the balance of 106,581.30 gold francs due under the budgets of 1921, 1922 and 1923 should be paid in equal annual instalments spread over ten years as from January 1925;

(2) To strike out of the accounts of the League, the balance of 50,983.89 gold francs due by the Grand-Duchy of Luxemburg for the financial year 1922, on the understanding, however, that Luxemburg waives all claim to her share of the surplus of the 1923 budget;

(3) To strike out of the accounts of the League the balance of 38,176.83 gold francs due by Persia for the financial year 1923, on the understanding, however, that Persia waives all claim to her share of the surplus for that financial year.

(b) Invites the Secretary-General:

(1) To make further urgent representations to Costa Rica, Honduras, Nicaragua, Peru and Bolivia;

(2) To submit to the Council at its session in June 1925 a report on the results of these representations in order that the Council may consider whether and, if so, in what form the question of the contributions due from these Members of the League should be placed on the Agenda of the sixth Assembly.

As a result of the recommendations of the sub-Committee, the amount of arrears outstanding on this account was reduced by 89,160.72 gold francs. It is sincerely to be hoped that the States mentioned in para. b (1) of the Resolution, which have obstinately refused hitherto to meet their obligations, will reply satisfactorily to the urgent representations now to be made to them.

REQUEST OF PANAMA GOVERNMENT REGARDING CONTRIBUTIONS PRIOR TO 1923.

The above sub-Committee also examined a claim from the Government of Panama for refund of a portion of its contributions for the years prior to 1923. The Panama Delegation drew attention to the fact that the First Assembly of the League had recommended that States, the assessment of whose contribution under the Postal Union scale then in force was excessive, should have refunded to them the amount by which their contributions under that scale exceeded their contributions under the revised scale when introduced. The present provisional scale of allocation of expenditure was ultimately introduced with effect from the year 1923. Under it Panama is assessed

much lower than under the Postal Union scale in force for the preceding year. Panama therefore claimed, on the strength of the recommendation carried in the First Assembly, that she should now receive a refund of the amounts paid for preceding years in excess of her contribution as now assessed. In support of this claim the Delegate for Panama pointed out that his country, while protesting against the amount of its contribution prior to 1923, had not failed to pay it, whereas certain States whose contributions in 1923 were in arrear had received remissions of the whole or a portion of their arrears based on a calculation of the smaller amount which they would have had to pay in preceding years had the scale introduced in 1923 been then in force.

The sub-Committee, while expressing sympathy with the point of view expressed by the Delegate of Panama, was unable to support this request. They argued that the recommendation of the First Assembly on which the request was based had not the binding force of a resolution. Moreover, the recommendation was made at a time when it was hoped that the Postal Union scale itself would be modified in such a manner as to enable it to be applied in assessing the contributions of States Members of the League. Since, however, the Assembly had decided to abandon the assessment of contributions on a scale applicable also to the Postal Union. If the recommendation passed in 1920 were now applied the League would be committed to expenditure equal to almost half its total budget in satisfying the claims of States concerned.

While the Fourth Committee, in discussing the claim of the Government of Panama, was unanimous in thinking that effect should, if possible, be given to the recommendation of the First Assembly, it was of opinion that, for the moment at least, satisfaction could not possibly be given to Panama or other countries in a similar position. The Assembly, on the recommendation of the Fourth Committee, adopted, on the 26th September, the following Resolution:—

The Assembly, being aware that it will be causing to one of the most devoted and most esteemed Members of the League a comprehensible disappointment; and being, convinced nevertheless that its decision implies no injustice;

Decides not to entertain, in the present circumstances, the claim of Panama, which might, however, receive further consideration at some future Assembly.

BUILDING OF A CONFERENCE HALL.

41. The sub-Committee appointed to consider the question of the building of a conference hall on the ground presented by the City and Canton of Geneva drew attention in their Report to the lack of accommodation in the buildings at present at the disposal of the League owing to the increasing numbers of committees and conferences requiring to be held at Geneva. They pointed out that the present financial position of the League renders it possible to commence building operations. By the end of 1925 both the former Hotel National, at which the Secretariat offices have been installed, and the new building of the International Labour Organisation, will have been paid for in full. The cost of constructing an Assembly Hall is estimated at 4,500,000 gold francs, and it is suggested that this amount can be met by including in each of the budgets for 1926-29 the sum of 1,125,000 gold francs on this account. The sub-Committee recommended that the sum of 250,000 gold francs should be included in the budget of 1925 to meet preliminary expenses in connection with the building operations, including the prizes to be awarded in connection with the architects' competition.

It was proposed that advertisement should be made in building and architects' journals of an open international competition for designs for the building. The following Resolution, proposed by the Fourth Committee, was adopted by the Assembly on the 20th September:—

“The Assembly approves the report of its Fourth Committee
 Assembly Resolution on the question of
 No. 22 (25th Sept.) the erection of a
 conference hall of
 the League of Nations, directs that
 the measures proposed in the report
 should be carried out, and recommends
 that the Members of the League should
 give the widest publicity to the conditions
 of the competition in connection with the
 erection of a conference hall.”

During the debate in the Assembly Sir Hubert Llewellyn Smith (Great Britain) announced that the British Department of Scientific Research had recently had occasion to carry out some

important experiments in the testing of acoustical properties of public buildings, and were anxious to place at the disposal of the League the advice of their experts on this question.

During this session of the Assembly, when the galleries were particularly crowded and meetings were very fully attended, not only by the delegates, but also by their expert advisers and secretaries, the accommodation in the present conference hall was found wholly insufficient, while the efforts made by means of various mechanical devices to improve the acoustical properties of the hall resulted in some cases in making the speeches delivered almost unintelligible. Moreover, the atmosphere of the building was extremely oppressive. We therefore consider that the money which it is proposed to allocate to the construction of the new conference hall in the present financial situation of the League will be justifiably spent.

ALLOCATION OF EXPENSES OF THE LEAGUE.

42. We have already summarised in *See p. 1120.* para. 13 of our Report the action taken in the Fourth Committee and in the Assembly on this subject. The Reports of the Allocation Committee and of the sub-Committee appointed by the Fourth Committee to consider the question are reproduced in Appendix III. The statement of India's case for reduction of her contribution, which was submitted by Lord Hardinge for the consideration of the sub-Committee, is reproduced in Appendix II. We also reproduce in Appendix V the Report of the Allocation Committee, presided over by M. Réveillaud, which considered the requests of India and other countries for reduction of their contributions at its meeting on the 30th October, after the close of the Assembly session. The conclusions of the Allocation Committee are summarised in para. 13 of our Report, where we also state the amount by which India's contribution for the year 1925 is reduced thereby.

The following Resolution on the subject of allocation of expenditure was proposed by the Fourth Committee and adopted by the Assembly on the 25th September:—

Assembly Resolution No. 21 (25th Sept.) The Assembly, in view of the fact:

That the work of the Committee on the Allocation of Expenses, presided over by M. Réveillaud, is not yet concluded, though the system proposed by the said Committee opens up the prospect of reaching a satisfactory conclusion, as mentioned in the report which this Committee submitted to the Assembly on the 4th July, 1924 (A. 14. 1924. II);

That the Assembly adopted a provisional scale for 1923 and also adopted a provisional scale for 1924 on the same lines as the 1923 scale, at the same time instructing the Committee on the Allocation of Expenses to place the whole of the units available for that year to the credit of those Members for whom the then-existing allocation was particularly heavy;

That in such a delicate matter it is clearly advisable to await the conclusion of the work of the Committee on the Allocation of Expenses and to make no changes in the provisional scales approved for 1923 and 1924, since, in the circumstances, such changes would necessarily be arbitrary and would consequently meet with numerous objections;

That the same conditions still exist as so rightly called forth from the 1923 Assembly a unanimous impulse of sympathy for Japan when she was stricken by an earthquake that destroyed a great part of her wealth;

And that applications have been received even during the last few days from other Members for a reduction of their quotas;

(a) Invites all States Members of the League to communicate to the Secretary-General their detailed budget estimates for 1923 (1923-24) and to send in future the budget estimates and closed accounts for each financial period immediately they are published;

(b) Requests the Council to ask the Committee on the Allocation of Expenses, presided over by M. Réveillaud, to continue its researches, with the object (in view of the difficulties of drawing up a definite scale at a time when the exchange fluctuations are so pronounced) of preparing a fresh provisional scale to be submitted to the 1925 Assembly and to come into force as from 1926 for a period to be decided upon;

(c) Resolves that the rebate of 12 units granted to Japan for the year 1924 shall be maintained for the year 1925;

(d) Resolves that the 35 units available owing to the resumption of payment by the Argentine shall be held in reserve;

(e) Requests the Committee on the Allocation of Expenses to divide these 35 reserved units in such a way as it may consider equitable, taking into consideration the claims of States Members for whom the existing allocation is particularly heavy;

(f) Approves for the year 1925, subject to such modification thereof as may result from the utilisation by the Committee on the Allocation of Expenses of the 35 units mentioned above the scale, which is based on that of 1924, annexed to the present resolution.

SCALE OF ALLOCATION OF THE EXPENSES OF THE
LEAGUE FOR THE YEAR 1924.

States.	Units.
Abyssinia	2
Albania	1
Australia	26
Austria	1
Belgium	15
Bolivia	5
Brazil	35
Bulgaria	7
Canada	35
Chile	15
China	65
Colombia	7
Costa Rica	1
Cuba	9
Czechoslovakia	35
Denmark	12
Estonia	3
Finland	10
France	78
Great Britain	88
Greece	9
Guatemala	1
Haiti	2
Honduras	1
Hungary	3
India (British)	65
Irish Free State	10
Italy	61
Japan	61
Latvia	3
Liberia	1
Lithuania	4
Luxemburg	1
Netherlands	20
New Zealand	10
Nicaragua	1
Norway	11
Panama	1
Paraguay	1
Persia	6
Peru	10
Poland	25
Portugal	9
Roumania	29
Salvador	1
Kingdom of the Serbs, Croats and Slovenes	26
Siam	10
South Africa	15
Spain	40
Sweden	18
Switzerland	15
Uruguay	7
Venezuela	5
Total	932
Argentine	35

(held over)

The 35 units that are available owing to the Argentine's resumption of payment will be distributed by the Committee on the Allocation of Expenses in accordance with the terms of the above resolution.

The value of a single unit in 1925 will therefore be the total expenses in gold francs voted for 1925 divided by 932. But this figure, which cannot be increased, may be reduced if the said Committee decides to use part of the 35 units in hand for the purpose of making an all-round reduction.

The Assembly requests the Committee on the Allocation of Expenses to determine the number of units to be allotted to the Dominican Republic and, when carrying out its task of

making the final adjustments in the scale for 1925, to add the number of units then allotted to those rendered available by the contribution of the Argentine Republic.

PENSION SCHEME FOR THE PERSONNEL OF
THE PERMANENT COURT OF INTERNATIONAL JUSTICE.

43. The sub-Committee appointed to consider the above question had before it a Report by the Supervisory Commission containing a scheme for pensions for Judges, and the Report adopted by the Council on the 29th August 1924 in which the scheme was submitted for the consideration of the Assembly. In this Report particular attention was drawn to the position of the Registrar of the Court. The Council had granted the present Registrar a salary intended to constitute a remuneration equal to that of a Director of the Secretariat, and it took this decision after the Assembly had resolved that the Directors of the Secretariat should not be eligible for any form of pension. The sub-Committee recommended that the Registrar should be included in the pensions scheme, but fixed seven years as the period of service of the Registrar necessary to qualify for a pension in that appointment. It held that the Registrar is a part of the personnel of the Court and that his service on a long-term engagement should be encouraged. Moreover, it drew attention to the fact that while employed in this office the Registrar is precluded from accepting remuneration for professional work from other sources.

In the discussion in the Fourth Committee of the draft regulations for the granting of pensions to ordinary Judges and to the Registrar of the Permanent Court of International Justice proposed by the sub-Committee, attention was concentrated on the regulation proposing that the minimum pension admissible under the regulations might be granted to a Judge or the Registrar by a special decision of the Court, based on the fact that the individual in question was in a precarious state of health and had insufficient means, notwithstanding that he had not completed, in the case of Judges, a period of five years' service, and in the case of Registrar of seven years. While this provision is admittedly a generous one, there were held to be special advantages in enabling a Judge or Registrar of the Court to withdraw from service if he no longer felt

himself able to carry on his work in a proper manner and had insufficient private means to dispense with pensionary rights. Another point on which criticism centred was the provision in Article 3 of the draft regulations with regard to the number of days to be treated as days of duty for the purpose of the daily duty allowances paid in addition to fixed annual salary. The British and Indian Delegates both held that the minimum number of days, viz., 180, was fixed too high. The Committee, however, voted by a small majority in favour of retaining this figure in place of 150 days suggested by Mr. Patrick (India). Taken as a whole the regulations are undoubtedly more generous than those ordinarily applicable to Judges in national Courts. It has, however, to be borne in mind that the International Court is composed of Judges drawn from various quarters of the world, whose expenses are undoubtedly increased by absence from their own countries, and that the salaries and conditions of service of the personnel of the Court have to be such as will ensure the widest field of selection for these appointments. The following Resolution was adopted by the Assembly on the 30th September:—

The Assembly adopts, on the proposal of the
 Assembly Resolution No. 36 (30th Sept.).
 Fourth Committee, the following regulations regarding the granting of retiring pensions to ordinary Judges and to the Registrar of the Permanent Court of International Justice.

[In accordance with Article 32 (para. 7) of the Court Statute.]

“For the purpose of Article 32, para. 7, of the Statute of the Court, the personnel of the Court shall be taken to comprise Judges, the Registrar and the officials of the Registry.

“As the officials of the Registry participate in the benefits of the League of Nations Provident Fund, the present regulations deal only with the ordinary Judges and the Registrar.”

Article 1.—Ordinary Judges and Registrars who have, for any reason whatever, ceased to hold office shall be entitled to retiring pensions.

This right, however, shall not be recognised if the persons concerned have been dismissed for reasons other than the state of their health.

In the case of resignation, Judges will not be entitled to pensions unless they have completed a period of five years' service, and the Registrar shall not be entitled to a pension unless he has completed a period of seven years' service.

Nevertheless, in the cases referred to in the previous paragraph, the Court may, by a special

decision based on the fact that the persons concerned are in a precarious state of health and have insufficient means, grant the minimum pension to which such persons would be entitled, after five years' service in the case of Judges, and after seven years' service in the case of the Registrar.

The payment of a pension shall not begin until the person entitled to such pension has reached the age of 65. Nevertheless, in exceptional cases and by a special decision of the Court, in consideration of the state of health & the means of the beneficiary, pensions may be paid to such beneficiary before he reaches the age of 65.

Article 2.—No retiring pension payable under the present regulations shall exceed 15,000 Dutch florins in the case of Judges and 10,000 Dutch florins in the case of the Registrar.

Article 3.—Subject to the provisions of Article 2, Judges shall be entitled to the payment of a pension equivalent to one-thirtieth of their salary in respect of each period of twelve months passed in the service of the Court the salary being taken to comprise the following:—

- (1) Fixed annual salary.
- (2) The whole of the daily duty allowances, the minimum number of days taken for the purpose of this calculation being 180; the duty allowance of the President of the Court shall be reckoned as being 35,000 florins per year.

In calculating the salary, no account shall be taken of sums received as subsistence allowance.

A Registrar shall be entitled to the payment of a pension equivalent to one-fortieth of his salary in respect of each period of twelve months passed in the service of the Court.

If a person entitled to a pension is re-elected to office, the pension shall cease to be payable during his new term of office; at the end of this period, however; the amount of his pension shall be determined as provided for above, on the basis of the total period during which he discharged his duties.

Article 4.—Subject to the provisions of Article 3, retiring pensions shall be payable monthly in arrears during the life-time of the beneficiary.

Article 5.—Retiring pensions shall be regarded as coming under the “Expenses of the Court,” within the meaning of Article 33 of the Statute of the Court.

Article 6.—The Assembly of the League of Nations may, on the proposal of the Council, amend the present regulations.

Nevertheless, any amendments so made shall not apply to persons elected before the amendment in question was adopted, unless they give their consent thereto.

REORGANISATION OF THE LATIN-AMERICAN BUREAU.

44. The Fourth Assembly resolved to entrust the Secretary-General with the study of a project for the reorganisation

of the Latin-American Bureau, for submission to the Fifth Assembly.* The scheme drawn up by the Secretary-General was based upon the assumption that the work of the Bureau had fully justified its creation. It was proposed that the number of members of the Bureau should be raised from two to three, and their term of contract prolonged from two to three years. The Secretary-General was prepared to undertake, as vacancies occurred in the general service, to give more adequate representation to nationals of Latin-America, subject to their possession of the requisite qualifications. The Report of the sub-Committee appointed by the Fourth Committee to examine these proposals went somewhat further than the scheme of the Secretary-General, for it recommended that nationals of Latin-American countries should be admitted as permanent members of the Secretariat in such a manner as to provide that one of these nationals should be appointed in each of its sections, also that on the expiration, or even before the expiration, of the contracts of officials of the Latin-American Bureau the Secretary-General should be empowered to substitute for their temporary contracts appointments as permanent members of sections. The Secretary-General informed the Committee that he accepted the proposals of the sub-Committee, and in the circumstances there was no criticism of them. The following Resolutions were adopted by the Assembly at its meeting of the 29th September:—

1. The number of members of the Latin-American Bureau shall be increased from two to three.
Assembly Resolution No. 35 (29th Sept.)

2. The term of service of the members of this Bureau shall be increased from two to three years.†

3. The Secretary-General shall, when vacancies occur in the general services of the Secretariat, endeavour to secure more appropriate representation for the Latin-American States, provided always that the candidates for these posts possess the necessary qualifications.

4. It is understood that the Latin-American Bureau, which was constituted in order to meet particular exigencies, must not be regarded as a

*Page 32 of the Report of the Delegates to the Fourth Assembly.

†The Secretary-General has already extended to three years the term of service of the two members of the Secretariat who at present constitute the Bureau, subject to the reservation that the Assembly consent to the appointment of a third member.

permanent organisation. It is desirable that nationals of Latin-American countries should be admitted as permanent members in such a way that one of these nationals shall be appointed in each section of the Secretariat:

5. In order that the above scheme may be carried out as rapidly as possible, the Secretary-General shall have power to substitute, upon their expiration or even previously, for the contracts of officials of the Latin-American Bureau contracts as permanent Members of Section, utilising for this purpose the funds allocated to the Latin-American Bureau, or, if the Bureau cease to exist, a special credit to the same amount, which shall be duly allocated.

THE NEW BUILDING FOR THE INTERNATIONAL LABOUR OFFICE.

45. M. Thomas, the Director of the International Labour Office, made an interesting statement before the Fourth Committee of the progress achieved in the construction of the new building of the International Labour Office. In the course of it he informed the Committee that the total credit of 3,000,000 francs which had been voted for the building would certainly not be exceeded and that, even with such delays as frequently occurred in building, the Office might expect to be installed in its new quarters before the end of 1925. The Director drew attention to the recommendation of the Assembly in 1922 that each Member of the League of Nations should contribute to the new building by sending, in agreement with the architect, building material, ornaments, or objects of art representative of its national products. Certain gifts had already been promised by various countries, and the Director earnestly hoped that other countries would follow their example.

Subjects referred to Committee V. (Social and General Questions.)

OPIUM.

46. The Fourth Assembly, in its Resolution No. 13 of 27th September,‡ had recommended to the Council that two international Conferences should be summoned. The object of the first Conference was to concert measures to carry into effect Part II of the International Opium Convention of 1912 in the Far Eastern territories in regard to the amount of opium imported for smoking, and also to decide the measures to be taken by the Government of China to

‡Page 23 of the Report of the Delegates to the Fourth Assembly.

bring about the suppression of the illegal production and use of opium in China. The object of the second Conference was to conclude an International Convention to limit the manufacture of morphine, heroin and cocaine, and the import and export of raw opium and coca leaf, to the amount required for medicinal and scientific purposes. A preparatory Committee having been appointed by the Council to consider the programmes to be adopted for these Conferences, the Report of the Advisory Committee on Traffic in Opium and other Dangerous Drugs, which was before the Fifth Committee, was principally concerned with the draft programme of the second of the two Conferences. We reproduce in Appendix II of our Report the programme which the Advisory Committee had put forward as a basis for this Conference. Mlle. Bonnevie (Norway), who was appointed by the Fifth Committee to report to the Assembly on the recommendations in the Advisory Committee's Report, proposed, on the 8th September, that the Assembly be asked to approve the Report of the Advisory

See page 1237.

Committee and to express its satisfaction that a basis for the work of the second International Conference had been reached. M. Sarraut (France) pointed out that the actual terms of the programme had not been approved individually by all members of the Advisory Committee, and suggested that this should be mentioned in the terms of the resolution to be adopted. Mr. Henderson (Great Britain) noted that Switzerland had now ratified the Hague Convention of 1912. On his proposal it was decided to invite the Council to ask Switzerland to be represented on the Advisory Committee. Mr. Henderson also drew attention to the fact that Persia and Turkey had not as yet ratified the Convention. The Persian Delegate, Prince Arfa-ed-Dowleh, made a prolonged statement as to the efforts made by the Persian Government to remedy the serious evils brought about in Persia by the use of opium. Mr. Hofmeyr (South Africa) proposed an addition to the resolution, emphasising the urgency of measures to arrest the enormous increase of opium cultivation in China. M. Chao-hsin Chu (China) alleged that the treaty rights of foreign Powers in Chinese ports were the chief impediment to the exercise by China of

her full sovereignty in respect of the opium traffic. At the instance of the Polish Delegate, supported by the Delegates of the Irish Free State, Switzerland and Roumania, it was proposed to add a further resolution recommending Press propaganda on the dangers of the abuse of drugs. Sir Muhammad Rafique claimed that India was carrying out to the full her obligations under the Hague Convention. Replying to statements made by Mr. Hofmeyr (South Africa) regarding the export of Indian hemp to the Union territories, he stated that India was conducting an enquiry into the matter, and had to some extent anticipated the raising of this question. Several delegates, representatives of the Latin-American Republics, pressed that a representative of those countries should be appointed on the Advisory Committee as a collaborator. This proposal was adopted by 25 votes to 3. The following Resolution, proposed by the Fifth Committee, in which the main points above mentioned are embodied, was adopted by the Assembly on the 20th September:—

1. The Assembly expresses its deep appreciation of the very valuable work done by the Advisory Committee on Traffic in Opium and other Dangerous Drugs, and adopts its report together with the resolutions embodied therein.

2. The Assembly expresses its satisfaction that the Advisory Committee has been able to work out a series of measures which, although they have not each of them received the approval of all of its members, were considered by the Committee to furnish a satisfactory basis for the work of the Second International Conference and to prepare the way for a final agreement, and expresses the hope that the result of the work of the International Conferences will lead to a solution of the great and difficult problems which each Conference, according to the resolutions of the fourth Assembly, will be called upon to consider.

3. The Assembly, taking note of the measures adopted by the Swiss Federal Council and legislative powers for ratifying and giving effect to the provisions of The Hague Convention, and bearing in mind the importance of Switzerland as a manufacturer of the drugs to which Chapter III of the Convention applies, expresses the hope that, as soon as the necessary steps have been taken to put into actual effect in Switzerland the provisions of the Convention, the Council will invite the Federal Council to nominate a representative to take part in the work of the Advisory Committee.

4. The Assembly regrets to note that the more thorough investigations which the Chinese Government in 1922 undertook to carry out with regard to the cultivation of the poppy in China have not, even in the opinion of the Chinese

Government itself, yielded adequate and satisfactory reports; and views with the utmost concern the continued production of opium which is now going on in China. The Assembly records its sense of the unsatisfactory character of the official investigations which have been made and of the official reports which have been furnished to the League, and approves of the recommendation of the Advisory Committee that the aid of public opinion should be enlisted through the medium of the Far Eastern Press in an endeavour to solve this grave problem.

5. The Assembly requests the Council to be good enough to ask the Advisory Committee on Traffic in Opium and other Dangerous Drugs whether it considers it desirable and expedient that the work undertaken by the League of Nations in connection with the traffic in opium, under Article 23 of the Covenant, should be completed by the preparation of a scheme of propaganda to acquaint the masses with the terrible consequences resulting from the use of dangerous drugs, and thereby to restrict the consumption of such drugs. Should the Advisory Committee be of opinion that it is desirable and expedient to prepare such a scheme, the Assembly of the League of Nations requests the Council to submit the scheme to it at its next session, and to indicate what measures are required in order to carry it into effect.

6. The Assembly, in the interest of the work of the Advisory Committee on the Traffic in Opium and other Dangerous Drugs and in order to make this work more effective, expresses a wish that the Council may take the necessary steps to ensure that a member belonging to one of the Latin-American countries be appointed to this Committee.

On this occasion M. Chao-hsin Chu addressed the Assembly, alleging that, although the consumption of opium for smoking purposes was increasing, China did not manufacture narcotics, but was, nevertheless, flooded with these dangerous drugs smuggled from outside, particularly from Western countries. The Chinese Delegate alluded to Sir John Jordan's proposal, made in the Advisory Committee, that the reduction of the export of opium from India and of the consumption of opium in the Far Eastern territories of the Powers should be effected at the rate of 10 per cent. each year for the period of 10 years. He desired to endorse this proposal, and stated that if it were carried out China would assist by carrying out her obligations to the full under the Hague Convention. The reference to Sir John Jordan's proposal had no direct connection with the resolutions before the Assembly, and in the circumstances the Indian Delegation did not consider it necessary to pursue the matter. No other speeches were made in this debate, the main interest of the opium question being now transferred

to the International Conferences to be held in November.

HIGH COMMISSION FOR REFUGEES.

47. On the 10th September the Committee opened its discussion on the question of the continuance of the activities of the High Commission for Refugees from Russia and Armenia. We have already referred to this question among the subjects dealt with by the Fourth Committee. Dr. Nansen said that further funds would be necessary for carrying on the work of the Commission, and explained his proposal for the transfer of the work to the International Labour Office. The Advisory Committee of the Hague Commission for Refugees, at its meeting on the 3rd September, had endorsed the High Commissioner's proposal that, with a view to carrying the work of the High Commission to a satisfactory conclusion, adequate funds should be provided, and that the work should in future be carried on through the International Labour Organisation under a mixed Commission representative of that body and of the League.

M. Sarraut (France) and Mrs. Swanwick (Great Britain) after noting that the Council had adopted Dr. Nansen's recommendations, while the Governing Body of the International Labour Organisation had not as yet seen its way to accept the Council's proposal, combined in proposing that, pending the outcome of the negotiations still in progress between the Council and the Governing Body, the sum of 203,000 francs, as provided in last year's budget, should be voted specially in the budget of this year to provide for carrying on the work. M. Thomas, the Director of the International Labour Office, and M. Avenol (Deputy Secretary-General), agreed that the matter of the future organisation should be left for decision between the Council and the Governing Body. The delegates of Poland, Czecho-Slovakia, Roumania, Brazil, Italy, and Jugo-Slavia referred to the work which they had undertaken, or were prepared to undertake, on behalf of the refugees, and commended Dr. Nansen's proposals. M. Tsouderos (Greece) drew attention to the fact that certain European banking firms with branches in Asia Minor had confiscated sums belonging to the refugees on

grounds of which the legal basis was at least open to doubt, and desired that the League of Nations should cause representations to be made to these banking establishments in order that the sums owned to the refugees might be restored to them as soon as possible. Mr. Hofmeyr (South Africa), at a later meeting, supported by M. Parra-Perez (Venezuela), expressed doubts as to the desirability of carrying out the transfer of the refugee work to the International Labour Organisation. While agreeing that the work itself should continue, he doubted whether it fell strictly within the compass of the League's activities. Mr. Hofmeyr recommended the appointment of a sub-Committee to report on the economies which the transfer would involve, and the probable duration of the commitments of the League in this respect. Mr. Hofmeyr's proposal was not adopted, but, as stated in para. 35 of our Report, the question of limiting the duration of the work after transfer to the International Labour Organisation was further pursued in the Fourth Committee.

See p. 1139.

On the 25th September the Assembly adopted the following Resolution proposed by the Fifth Committee* :—

*See p. 1242 for Committee's Report.

The Assembly feels it its duty to pay a whole-hearted tribute to the High Commissioner, Dr. Fridtjof Nansen, both for his unceasing devotion, of which for more than four years he has given proof, in assisting refugees of every nation and for the high qualities which he has displayed in the carrying out of his onerous duties.

The Assembly would record the fact that, with very limited means at his disposal, Dr. Nansen has saved from misery and often from death hundreds of thousands of human beings, and would render him the grateful thanks due to him as a benefactor of humanity; it relies on his cordial co-operation for the continuance of the work on behalf of the refugees.

1. The Assembly:

Considering that the most important work which still remains to be done refers to the employment, emigration and settlement of the refugees;

Considering, moreover, that the Council has adopted the High Commissioner's recommendation for the transfer to the International Labour Organisation of the work still to be accomplished, subject to the approval of the Governing Body:

Adopts the Council's decision of the 12th June, 1924, and places at its disposal sufficient funds, that is to say 203,000 francs, specially set aside for the administrative services required to deal with the establishment of the Russian and Armenian refugees during the year 1925, and requests the Council to continue negotiations with the Governing Body of the International Labour Organisation in order to determine the precise conditions under which the work now in course of accomplishment shall be completed.

2. The Assembly:

Moved by the Greek delegate's statement in regard to the confiscations effected in certain banks to the detriment of the Armenian and Greek refugees;

While making no pronouncement in regard to the facts with all the details of which it is not acquainted, or in regard to the competence of the League in this question:

Urgently invites the Council to make a careful enquiry into the facts in question and then to take such measures as it may consider necessary, should it decide that the matter comes within the sphere of action of the League of Nations.

TRANSFER OF ARMENIAN REFUGEES TO CAUCASUS AND CREATION OF AN ARMENIAN NATIONAL HOME IN THAT REGION.

48. On the 28th September 1923 the Council adopted a resolution appealing to all States Members of the League to support by such charitable means as were in their power the work of the assistance for the Armenian refugees and noting a scheme put forward by the President of the Armenian National Delegation for the settlement of Armenians in the Plain of Askarabad in the Caucasus. In response to this appeal various countries replied that they found it impossible to offer Government assistance. The French Government only had given financial support by allotting a sum of 335,000 francs for disposal by a national Committee established in France to further the scheme. The question of the further action to be taken on the Council's resolution was raised by the Greek Delegation at the Fifth Assembly. M. de Brouckère (Belgium), who was appointed by the Fifth Committee to report to the Assembly on the subject, while insisting upon the special responsibility which had been assumed by the League of Nations towards the Armenians as a result of successive resolutions passed at previous Assemblies, thought that the question of the transfer of the Armenian refugees to the Caucasus required careful investigation, this region being one

in which races were specially mixed and where war was again in progress. He pointed out that it was particularly necessary to avoid raising false hopes among the Armenians, and considered that it might be possible to establish them elsewhere than in the Caucasus. He paid a warm tribute to the Government and people of Greece for the sacrifices which they had made on behalf of Armenian refugees, whom they had treated on an equal footing with refugees from among their own people. He proposed that Dr. Nansen should be asked to investigate the possibility of the scheme for settlement in the Caucasus, and that for this purpose a further sum of 50,000 francs should be placed at the High Commissioner's disposal. In the debate on these proposals the Marquis McSwiney of Mashonaglass (Irish Free State) suggested that the possibility of settling the Armenian refugees elsewhere than in the Caucasus should also be explored, and that the Assembly should be asked to secure every possible facility for giving productive employment to the refugees in other countries, with a view to safeguarding their national existence, until a national home for them could be established. The changes adopted in the proposals regarding the settlement of the Armenians on the recommendation of the Fourth Committee are mentioned in para. 35 of our Report. The following

Resolution was adopted by the Assembly on the 25th September:—

The Assembly, bearing in mind the resolutions passed by the first, second and third Assemblies and by the Council in favour of the Armenians;

Desirous of manifesting its sympathy towards these unfortunate people;

Having considered the proposals made for the settlement of the Armenian refugees in the Caucasus and elsewhere;

Considering it undesirable, however, to express any opinion on the merits of such proposals until they have formed the subject of careful and impartial enquiries;

Invites the International Labour Office, in collaboration with Dr. Nansen, to institute an enquiry with a view to studying the possibility of settling a substantial number of Armenian refugees in the Caucasus or elsewhere;

And adds a further sum of 50,000 francs to the Refugee budget for 1925 for this purpose, it being understood that, by voting this credit, Members of the League assume no obligation as to the execution of any scheme whatever in this connection.

The Assembly further declares that, until an Armenian national home can be established, every possible facility should be given to the refugees to establish themselves in productive employment in other countries so as to maintain and safeguard their national existence.

Finally, it proposes that the Greek Government and nation should be thanked and congratulated on the admirable efforts which they have made on behalf of the Armenians, and that gratitude should be expressed to the United States and other countries for the generosity which they have never ceased to show towards the Armenians. It further proposes that they should be asked to continue to afford these unhappy people a help which is indispensable and of great value during the crisis through which they are passing.

PROMOTION OF CHILD WELFARE.

49. As an outcome of the International Congress for the Promotion of Child Welfare held in Brussels in 1913 an International Association was founded in Brussels to act as a link between the various countries and between societies and persons devoting themselves to the promotion of child welfare in all countries, to assist in the investigation of this subject, and to encourage progress in legislation and the conclusion of international agreements for the benefit of children. The Association received the support of 10 States, including Belgium, France, Italy and Switzerland. The British Government, however, refused to accede to the Convention establishing it, considering that international work of this nature should be entrusted to the League of Nations. Since that date the Council of the League has been in negotiation with the International Association, with a view to its being placed under the authority of the League of Nations. In March 1924 the Council adopted a resolution deciding that the work hitherto carried out by the Association should in future be entrusted to the Secretariat of the League, an agreement having been reached with the Belgian Government on the subject. For this purpose the Secretary-General proposed to add one member to the Social Section to the Secretariat.

M. de Brouckère (Belgium), who was appointed by the Fifth Committee to report to the Assembly on this proposal, put forward a draft resolution recommending that the Council should reconstitute the Advisory Committee on the Traffic in Women and Children under a new name to include two groups of assessors, one group to attend when questions relating to the traffic in women and

children were discussed, and the other (on which persons qualified to act as representatives of private organisations concerned with child welfare would be appointed) to deal with questions relating to the promotion of child welfare. M. de Brouckère's proposals received considerable support in the Committee, but Mrs. Swanwick (Great Britain) expressed the fear that the programme contemplated would necessitate the engagement of a considerable staff. In particular, the British Delegation were anxious to avoid any duplication of work with the International Labour Organisation and the Health Organisation. At a later meeting M. de Brouckère, in agreement with Mrs. Swanwick, put forward amended proposals, in which safeguards against duplication of work between the various organisations of the League concerned with work for children were introduced. He proposed that the subjects to be dealt with by the Advisory Committee should preferably be those in which comparison of the methods and experience of different countries, and consultation and interchange of views between the officials and experts of those countries, could be utilised to assist the Governments in dealing with the problems of child welfare. The proposals involved a supplementary credit of 40,000 francs.

The Fourth Committee, in examining the Fifth Committee's proposals, found itself unable to approve the credit of 40,000 francs. It considered the sum of 10,000 francs already provided in the budget to be sufficient. After further discussion in the Fifth Committee, in the course of which M. de Brouckère explained the embarrassment created by the refusal of the Fourth Committee to vote the supplementary credit, it was finally decided to express regret that, for general budgetary reasons, the supplementary funds asked for were not available for 1925, but to request the Council to invite the Advisory Committee, when reconstituted, to present in its Report to the Council and the Sixth Assembly an estimate of the appropriations necessary in order to carry out adequately the future undertakings of the Committee.

On the proposal of M. Valdes-Mendeville (Chili) the Committee also decided to propose for endorsement by the Assembly a declaration of the rights of

the child—commonly known as the Declaration of Geneva. The above proposals were embodied in the Resolution adopted by the Assembly at its meeting of the 26th September:—

I.

1. The Assembly ratifies the decision adopted by the Council at its session in March 1924 providing that the work hitherto carried out by the International Association for the Protection of Children should henceforth be entrusted to the Secretariat of the League of Nations.

2. The Assembly requests the Council to reconstitute the Advisory Committee on the Traffic in Women and Children under a new name and with two groups of assessors, one group to attend whenever questions relating to the traffic in women and children are dealt with and the other when questions relating to the protection of children are discussed.

The Assembly recommends that the assessors belonging to the latter category should include persons qualified to act as representatives of the principal private organisations dealing with the protection of children, and, in particular, the International Association for the Protection of Children.

3. The Assembly considers that the subjects to be dealt with and the methods of dealing with them should be such as may be approved by the Council on the advice of the Advisory Committee; and considers that in this matter the League can most usefully concern itself with the study of those problems on which the comparison of the methods and experiences of different countries, consultation and interchange of views between the officials and experts of different countries and international co-operation may be likely to assist the Governments in dealing with such problems.

4. The Assembly takes note of the fact that the protection of children in certain respects already falls within the scope of the work of existing organisations of the League; for example, protection, from the hygienic point of view, falls within the sphere of the Health Organisation of the League, and the regulation of the conditions of employment of children within that of the International Labour Organisation; and considers that, in carrying out any new duties entrusted to the League, care should be taken to prevent any duplication of work.

5. The Assembly recommends in addition that the Health Organisation of the League should be invited to consider and measures within its competence which it would be desirable and practicable to undertake for the protection of children from the hygienic point of view.

6. The Assembly, considering that the international work proposed is of great permanent, social, scientific and juridical value, regrets that for general budgetary reasons the supplementary funds asked for are not available for 1925. It requests the Council to invite the Advisory Committee, when reconstituted, to present, in its report to the Council and the sixth Assembly, an estimate of the appropriations necessary for the adequate prosecution of its future undertakings.

II.

The Assembly endorses the declaration of the rights of the child, commonly known as the Declaration of Geneva, and invites the States Members of the League to be guided by its principles in the work of child welfare.

Declaration of Geneva.

By the present Declaration of the Rights of the Child, commonly known as the Declaration of Geneva, men and women of all nations, recognising that mankind owes to the child the best that it has to give, declare and accept it as their duty that, beyond and above all considerations of race, nationality or creed:

- " I. The child must be given the means requisite for its normal development, both materially and spiritually;
- " II. The child that is hungry must be fed; the child that is sick must be helped; the child that is backward must be helped; the delinquent child must be reclaimed; and the orphan and the waif must be sheltered and succoured;
- " III. The child must be the first to receive relief in times of distress;
- " IV. The child must be put in a position to earn a livelihood and must be protected against every form of exploitation;
- " V. The child must be brought up in the consciousness that its talents must be devoted to the service of its fellow-men."

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

50. As a result of a resolution of the Fourth Assembly dated the 20th September 1923,* a scheme, originating with M. Ciralo, President of the Italian Red Cross, for mutual assistance of peoples overcome by disasters, was communicated to Governments and to the States Members of the League for comment. Replies were received before the meeting of the Assembly from 15 Governments. Of these only five expressed agreement with the scheme. The basis of the proposal was to establish a permanent technical organisation with power to collect financial resources, and with a staff capable of providing assistance, for States stricken by grave disasters. It was proposed that this organisation should be placed under the control of the Red Cross, which would thus obtain a status in peace-time for the alleviation of distress comparable with that which

was universally accorded to it in time of war. Senator Ciralo, who was appointed by the Fifth Committee to report to the Assembly on the progress of the scheme, submitted draft resolutions with a view to the appointment as soon as possible of a Preparatory Committee, comprising representatives of the International Red Cross Organisations, technical experts and himself, to draft a convention for discussion by an International Conference to be convened by the Council. A number of delegates appeared satisfied that the replies of Governments so far received would justify this action being taken, but the delegates of Great Britain, Sweden, Norway, South Africa, and India were unable to support the proposals. Sir Muhammad Rafique pointed out that India already had to provide for the relief of her peoples from the distress caused by famine and epidemics, and doubted whether the help which other countries might be able to render India in such emergencies would be commensurate with the sacrifice involved in the expenditure of Indian resources on a scheme of indirect and remote benefit to India. M. Sarraut (France) believed that the differences of opinion expressed in the Committee could be reconciled, and proposed the appointment of a sub-Committee to draw up a draft resolution which would meet the views of the Committee as a whole. In the draft proposed by this sub-Committee it was recommended that, in the first place—

- (a) the kinds of calamity to which the scheme would apply;
- (b) the financial commitments involved, based on the actual sums spent in relief of calamities, either by private subscription or in the budgets of the various countries;
- (c) the approximate contributions likely to be required from individual States; should be investigated by the Secretariat; and that, on the basis of the information supplied, a Preparatory Committee should be appointed by the Council to propose a concrete scheme for submission by the Council to the Assembly.

Opposition to the proposals in their revised form was still expressed by Mrs. Swanwick (Great Britain) and Mme.

* Page 28 of the Report of the Delegates to the Fourth Assembly.

Bugge-Wicksell (Sweden). Mrs. Swanwick believed that the Committee had been to some extent carried away by generous motives, and doubted if all the States which now supported the scheme would be ready to pay the additional contribution of 10 per cent. to the budget of the League which it would probably require. A revised draft resolution was proposed by M. Fernandez y Medina (Uruguay) in the hope of reconciling the differences. Mrs. Swanwick proposed instead a draft resolution requesting the Council to instruct the Secretary-General:—

- (1) to request the Governments whose replies had not been received to expedite those replies with a view to ascertaining whether the scheme is likely to receive sufficient support to justify this Assembly in undertaking the summoning of an International Conference on the subject;
- (2) to request the Committee on Intellectual Co-operation to encourage, and if possible co-ordinate, the scientific movement for the research of material for the study of diseases;
- (3) to place himself in communication with the International Red Cross Organisation, with a view to exploring certain suggestions made by the Swedish Delegation. These were (a) to give to the Red Cross in time of peace a legal status enabling it to intervene to mitigate human suffering in the same manner as it intervened in time of war; (b) that the International Red Cross Organisation should co-ordinate the assistance from Red Cross Societies of other countries.

Mrs. Swanwick's Resolution was rejected by 19 votes to 6, and the Resolution proposed by M. Fernandez y Medina was carried in the Fifth Committee by 21 votes to 3; Great Britain, India and Sweden forming the minority. The latter Resolution was adopted unanimously by the Assembly at its meeting on 26th September 1924. It reads as follows:—

The Fifth Assembly, reiterating the tribute paid by the preceding Assembly to the noble initiative and perseverance

of M. Giovanni Circolo, delegate of Italy, President of the Italian Red Cross, and author of the scheme for establishing an international union against calamities;

Whereas his proposal is in harmony with the spirit of international solidarity by which the League of Nations is inspired, and provides, in accordance with Article 25 of the Covenant, for the fruitful utilisation of the International Red Cross Organisation for works of peace;

And whereas this proposal has been received with sympathy by the Governments to which it has been submitted;

But, by reason of the reservations made by a certain number of these Governments, still requires exhaustive investigation before it can be carried into effect, decides—

1. That a Preparatory Committee, appointed by the Council of the League of Nations in accordance with the terms of Article 2 below, be instructed to determine, in conjunction with the Secretariat:

- (a) The exact sphere within which the proposed international union, would be called upon to take action, i.e., the kinds of calamity in respect of which it would intervene, and the extent of the relief which it would grant in cases of extreme urgency;
- (b) The needs which would have to be met, estimated on the basis of the information immediately available regarding the funds included in the budgets of States, provinces or municipalities, or subscribed by private persons for the relief of such calamities of late years and of estimates to be supplied by insurance experts;
- (c) The approximate contribution which would in these circumstances appear to be necessary in order to ensure the execution of this scheme and the amount for which each State would be liable, taking as the basis a proportion corresponding to that of its present contribution towards the expenditure of the League of Nations, without neglecting the possibility of voluntary assistance in the form of donations or bequests.

2. That the Preparatory Committee be formed by obtaining the friendly co-operation of the author of the scheme, of representatives of the International Red Cross Organisations, and technical experts chosen among learned bodies and insurance associations. It will have available, in order to meet its necessary expenditure, the sum of ten thousand francs generously placed at the disposal of the Council by the Italian Red Cross Society, and twenty thousand francs provided by the League of Nations.

3. That the Committee, paying due regard to the investigations and enquiries provided for in Article 1, shall lay before the Council concrete proposals relating alike to the objects in respect of which assistance will be given, and to the nature and extent of such assistance, and, further, to the contribution which each State might be called upon to pay, in order that the Council, after consultation with the various Governments, may submit to the Assembly such resolutions as it considers desirable.

TRAFFIC IN WOMEN AND CHILDREN.

51. The following Resolution was recommended by the Fifth Committee and adopted by the Assembly on the 25th September—

1. The Assembly expresses its keen satisfaction with the work accomplished by the Advisory Committee on the Traffic in Women and Children, and adopts its report and resolutions.

Assembly Resolution No. 19 (25 Sept.).

2. The Assembly expresses its regret that so few States have as yet ratified the International Convention of 1921, and recommends that those States which have not yet adhered to or ratified the Convention should be invited to give the reasons which have prevented their doing so.

3. The Assembly endorses the resolution of the Council approving the decision of the Advisory Committee regarding the annual reports, and inviting those States which have not yet furnished these reports to be good enough to do so in the future, and further inviting those States which sent in their reports for 1922 too late to be included in the summary of annual reports, to furnish them by the 1st April of each year in the case of Western States, and by the 1st July in the case of Far-Eastern States.

See p. 1241 for Committee's Report.

4. The Assembly endorses the following decision of the Council dated the 11th June, 1924:

"The Council, being of opinion that a full collection of laws and regulations relating to the traffic in women and children is essential to the work of the Advisory Committee, again invites those Governments which have not already furnished copies of such laws and regulations to be good enough to do so with the least possible delay."

5. The Assembly also endorses the following decision of the Council dated the 11th June, 1924:

"The Council invites those States which have undertaken to appoint central authorities, but have not yet appointed them, to do so without delay, and requests them to be good enough to communicate the names of these authorities to the Secretariat."

6. The Assembly endorses the following decision of the Council dated the 11th June, 1924:

"The Council of the League of Nations, greatly appreciating the readiness with which many Governments have complied with the request formulated by the Council on the 19th April, 1923, regarding some aspects of the system of licensed houses, expresses the hope that those Governments which have not yet made known their opinions on the subject will furnish the information asked for, and requests the Advisory Committee to continue its study of the question in the light of any further replies which may be received."

PROTECTION OF WOMEN AND CHILDREN IN THE NEAR EAST.

52. By a Resolution of the First Assembly a Commission of Enquiry into the position of women and children in the Near East was established in Constantinople and Aleppo, the former under the direction of Dr. Kennedy (Great Britain) and Miss Cushman (America), and the latter at Aleppo under the direction of Miss Carin Jeppe (Denmark). In each of these places a receiving home was later opened in the name of the League, where women and children who had been detained among nationalities other than their own were helped either to return to their relatives, to find work, to emigrate, or, in the case of children, to find a home in some charitable institution. Satisfactory reports of the work of the two branches were received from the Commission, and the Assembly adopted, on the recommendation of the Fifth Committee, the following Resolution on 25th September:—

1. The Assembly expresses its thanks to the Governments responsible for the territories under mandate or under Allied control in which members of the Commission for the Protection of Women and Children are working, for the support they have given to the Commission and its members, and it requests them to continue to give this support.

2. The Assembly approves the reports of Dr. Kennedy and Miss Karen Jeppe; it expresses its great appreciation of the work they and their assistants have accomplished.

3. The Assembly decides that as in 1924 the sum of 75,000 francs shall be allocated for the work of the Commission during 1925.

THE PRINCIPLE OF CLOSER MUNICIPAL RELATIONS.

53. The Fourth Assembly adopted a Resolution referring to the Fifth Assembly* of the League a proposal submitted by the Cuban Delegation for the furtherance of direct relations between the important municipalities of the various countries with a view to diffusing the ideals which led to the creation of the League of Nations. In the discussion of the Report submitted to the Fifth Committee by Mr. Patterson (Cuba), M. Pironti (Italy) pointed out the possible danger of conflict between a State and its municipalities as a result of the development of the system. M. Sarraut (France) considered

* Page 92 of the Report of the Delegates to the Fourth Assembly.

that the Secretariat should draw up, in preparation for the Sixth Assembly, a report on the facilities which might be utilised, and the part which the League of Nations might play, in the development of inter-municipal co-operation. When the proposal was brought before the Assembly on the 20th September, M. Hymans (Belgium) emphasised the possible dangers of conflict between the State and its municipalities unless the proposal were carefully safeguarded. The Assembly, however, adopted the following Resolution:—

Whereas the maintenance of direct relations between the important municipalities of the various countries within the strict limits of national sovereignty, is a new form of co-operation between peoples which will contribute largely to diffusing the ideals which led to the creation of the League of Nations and which guide its work:

The Assembly decides to accept with the greatest sympathy the principle of closer municipal relations which the Santiago Conference recommended to the Members of the Pan-American Union for adoption;

And requests the Secretariat to draw up in preparation for the sixth Assembly a report on inter-municipal co-operation, on the existing facilities which might be utilised to that end, and on the part which the League of Nations might play in this matter, having regard to the means which might be available and to any facilities provided by other organisations.

Subjects referred to Committee VI. (Political Questions).

54. At its opening meeting the Sixth Committee appointed two sub-Committees to deal with the following questions:—

- (1) The reports on the work of the Permanent Mandate Commission and of the Temporary Committee on Slavery. Chairman: Dr. Nansen (Norway).
- (2) The request of the Lithuanian Government arising out of the Polish-Lithuanian dispute. Chairman: M. Enckell (Finland).

WORK OF THE TEMPORARY COMMITTEE ON SLAVERY.

55. The Fourth Assembly, in a Resolution* of 28th September 1923, recommended the appointment of a Committee of Experts to consider and report on

the information collected by the Secretariat, after reference to the Governments of States Members of the League, as to the existence of slavery in their territories. On 11th December 1923, the Council instructed the Secretariat to enquire of States in whose territories slavery had been known to exist in the past:—

- (1) What means had been applied by them to suppress slavery;
- (2) What success had been achieved by this means, and with what economic and social results;
- (3) If they could indicate any organisations or individuals able to supplement the official information supplied by them on these subjects.

The Committee of Experts, on which Great Britain was represented by Sir Francis Lugard, met in July last under the chairmanship of M. Gohr (Belgium) to consider the replies received from the various Governments. The Committee stated in its Report that it felt some doubt as to the exact extent of its terms of reference. It had accordingly decided to draw up the following syllabus of subjects which it considered as coming within the scope of its enquiry:—

- (1)—(a) Enslaving of persons, slave-raiding, and the slave trade;
- (b) Slave dealing, including transfer by exchange, sale, gift, or inheritance;
- (c) Slavery and serfdom (domestic or predial).
- (2) Practical restriction of liberty of the person; for example—
 - (a) Acquisition of girls by purchase disguised as a payment of dowry (irrespective of normal marriage customs);
 - (b) Adoption of children of either sex with the ultimate object of the disposal of their persons;
 - (c) All forms of pledging persons, whether for debt or for other reasons.
- (3) Measures taken to deal with practices under (1) and (2), and the results achieved thereby.
- (4) The system of compulsory labour, public or private, paid or unpaid.
- (5) Measures taken or contemplated to facilitate transition from servile or

* Page 30 of the Report of the Delegates to the Fourth Assembly.

compulsory labour to free wage labour or independent production.

The Committee resolved to consult the organisations indicated by Governments as suitable for this purpose. In cases where other organisations or individuals volunteered information, the Governments to whose territories the information related would be asked if they considered the individuals or bodies to be reliable and competent to give such information. The communications of these individuals or bodies, when received, would be referred for the information of the Governments concerned.

On these terms the Committee proposed to continue its investigations, appointing M. Delafosse (France) to be *rapporteur* of the Committee.

The sub-Committee recommended the adoption of the Temporary Slavery Committee's Report and of the proposals which it contained. The Report of the sub-Committee was discussed in the Sixth Committee on the 15th September. Representatives of various Governments, while emphasising the delicacy of the enquiry, to be undertaken and its wide scope, expressed confidence that it would be conducted in a tactful manner by the Slavery Committee, especially as regards the use of information received from non-official sources. Mr. Roden Buxton (Great Britain) stated that the British Government could not, of course, bind itself beforehand to accept the measures which might be proposed by the Slavery Committee, but would consider them carefully on their merits. On the 22nd September the Assembly adopted the following Resolution on the subject:—

The Assembly, having taken note of the Assembly Resolution report of the Temporary, No. 11 (22 Sept.). Committee on Slavery:

1. Decides to express its gratitude to the members of this Committee for their excellent work;
2. Relying completely on the wisdom and tact of this Committee to carry out the delicate and difficult enquiry entrusted to it, approves the programme and the methods of work set forth in the Committee's report.

REPORT OF THE PERMANENT MANDATES COMMISSION.

56. The Report of the Fourth Session of the Permanent Mandates Commission, which was referred for the consideration of the sub-Committee, was

confined to six only of the 13th mandated territories. A further session is to be held to consider matters arising out of the exercise of the Mandates in the remaining territories. The Report of the Commission contained, in addition to certain general observations, remarks on the administration of Ruanda Urundi, the Cameroons, French Mandated Togoland, Tanganyika, Western Samoa, and South-West Africa.

57. Among the general observations of the Commission the following were of chief interest.

Liquor Duties.

An agreement has been reached between Great Britain and France for equalisation of the liquor duties in their adjoining mandated territories in West Africa. It is hoped that the agreement will result in the cessation of smuggling of liquor from one territory to another.

Military Recruitment.

Last year the Commission expressed the view that the enlistment of natives of a mandated territory for military service outside that territory would be a violation, if not in letter at least in spirit, of the mandate conferred. Great Britain was unable at the time to accept the juridical interpretation placed upon the mandate, but has since decided not to maintain its right to recruit natives of mandated territories presenting themselves for enlistment in His Majesty's Forces outside those territories. The French Government have expressed general concurrence in the view of the British Government, and the Commission has proposed that other Powers exercising similar types of mandates should be consulted as to their view of the matter.

Investment of Capital.

The Commission draw attention to the uncertainty prevalent as to whether the mandate system will be continued for any length of time. The result of this uncertainty is to obstruct the emission of loans for public service in mandated territories and the investment of private capital in its territories. The Council are invited to make a pronouncement calculated to increase confidence in the permanence of the present system.

58. In regard to the exercise of the mandates in particular territories, the

Commission expressed great gratification at the presence of Mr. Hofmeyr (South Africa) at its meetings. In his capacity of Administrator of the South West African Mandated Territory he is stated to have proved of great assistance to the Commission in reaching its conclusions. The Commission, subject to certain further enquiries which it has asked the South African Government to undertake, now expresses its general satisfaction with the administration of this territory. Other countries exercising mandates are invited to send their local officials to appear before the Mandates Commission when the question of their territory is under discussion. It may be noted that Sir Herbert Samuel, High Commissioner for Palestine, is to appear at the next meeting of the Mandates Commission when the question of the Palestine Mandate is under discussion.

The Report of the sub-Committee was presented to Committee VI on the 18th September. Mr. Roden Buxton (Great Britain) suggested, in the general discussion of the Report, that the Permanent Mandates Commission might usefully deal to a greater extent with the more general aspects of administration of mandated territories, and thus render reports more interesting to the general public. He considered it would be a great step forward if, as a result of the work of the Mandates Commission, a wider extension of the sound principles of colonial administration laid down in the Covenant could be brought about in the colonial possessions of States Members of the League. He drew attention to a Resolution passed at the Third Assembly on the question of minorities, in which it was recommended that Powers not expressly bound by a minority treaty should be asked to apply principles in their territories at least as liberal as those embodied in the treaties for protection of minorities. He suggested that, on this analogy, Powers with colonial possessions not held under mandate might be asked to apply in these possessions principles not less liberal than those applied in mandated territories. M. Freire d'Andrade (Portugal), Count Bonin-Longare (Italy), Dr. Nansen (Norway), and Sir Joseph Cook (Australia) were unanimous in expressing doubt as to the wisdom of proposing such an extension of the work of the Mandates Commission, which they held should be confined to the examination of

questions arising in territories held under mandate.

The Assembly adopted, on the 22nd September, the following Resolution on the subject:—

The Assembly, having taken cognisance of the report of the Permanent Mandates Commission relating to its fourth session, of the observations made by the accredited representatives of Belgium, France, New Zealand and the Union of South Africa, and of the resolution of the Council dated the 29th August, 1924:

(a) Desires again to convey to the Permanent Mandates Commission its profound and sincere thanks for the zeal, the great competence and the perfect impartiality with which it has invariably discharged its important and difficult duties.

(b) Earnestly recommends that a solution should be found as soon as possible for the question of loans, advances and investment of capital in the mandated territories, the present position of which is likely to prove a very serious hindrance to the development of these territories; and

(c) Recalls the fact that the inhabitants of mandated territories have the right to address petitions to the Council, in accordance with the procedure already established;

(d) Hopes that the mandatory Powers will, with as little delay as possible, take such action as may be required to give effect to the resolution adopted by the Council at the request of the Permanent Mandates Commission concerning the definition of the technical terms employed in the conventions relating to the liquor traffic;

(e) Requests that the reports of the Mandatory Powers should be distributed to the States Members of the League of Nations and placed at the disposal of the public who may desire to purchase them;

(f) Recommends that analytical tables should be drawn up as an annex to the reports of the Permanent Mandates Commission;

(g) Expresses the desire that it will be possible for the mandatory Powers in the future to entrust to officials personally responsible for the administration of the mandated territories, as often as circumstances will permit, the duty of representing them before the Permanent Mandates Commission.

FRONTIER BETWEEN IRAQ AND TURKEY.

59. Simultaneously with the meeting of the Assembly the Council had under discussion the question of the dispute between Turkey and the British Mandated Territory of Iraq. The subject was not brought before the Sixth Committee or discussed in the Assembly session, but we have thought it appropriate to reproduce the correspondence on the matter between the British and Turkish Governments which was circulated for the information of the

Assembly at the request of these Powers.

REQUEST TO THE LITHUANIAN GOVERNMENT ARISING OUT OF THE DELIMITATION OF THE FRONTIERS OF LITHUANIA AND POLAND.

60. On the 3rd February 1922 the Council proposed a line of demarcation of the Polish and Lithuanian frontiers. The proposed frontier was accepted by Poland but not by Lithuania. Subsequently Poland invited the Conference of Ambassadors, in accordance with Article 87 (3) of the Treaty of Versailles, to undertake the delimitation of the disputed frontier. The decision given by the Conference on the 15th March 1923 corresponded with the proposal previously made by the Council of the League. The Council resolved in April 1923 to recognise that the question had been determined in accordance with the Treaty of Versailles. Subsequently the question was raised by the Lithuanian Government whether this decision of the Council was consistent with its resolution on the 13th January 1922, that the Council could not recognise any solution of a dispute between two Members of the League, submitted to it by one of the parties, which might be reached without the consent of both parties. At the Lithuanian Government's request, its suggestion that a reference might be made to the Permanent Court of International Justice for an advisory opinion on the matter was placed on the agenda of the Fourth Assembly. Before the discussion of this proposal had been concluded* the item was withdrawn from the agenda at the request of the Lithuanian Government and referred for consideration at the Fifth Session of the Assembly.

The first question with which the sub-Committee, appointed by the Sixth Committee at this session to consider the request of the Lithuanian Government, had to deal was whether the claim of the Delegation of Lithuania to be represented on the sub-Committee should be complied with. The Polish Delegation put forward the request that if the Lithuanian Delegation was represented it also should be represented. The view of the sub-Committee was that it should hear the representations of both sides when necessary, but reserve to itself the

right to sit without them when it thought fit. This decision of the sub-Committee having been communicated to the Lithuanian Government by its Delegation, the Delegation was instructed to request that the item should be removed altogether from the agenda of the Fifth Assembly, while reserving to the Lithuanian Government the right to raise the matter again at an opportune moment.

GEORGIA.

61. On the 11th September the Delegations of France, Great Britain, and Belgium drew attention in the Assembly to the Resolution, adopted in September 1922 by the Third Assembly, wherein the Council was invited to follow attentively the course of events in Georgia, so that it might seize any opportunity which might occur to help in the restoration of that country to normal conditions by any peaceful means in accordance with the rules of international law. The Delegations of France, Great Britain, and Belgium desired that this Resolution might be renewed by the Fifth Assembly, having regard to the present condition of affairs in Georgia.

The Sixth Committee, to whom the matter was referred, appointed Mr. Macdonald (Irish Free State) after discussion in a sub-Committee to report to the Assembly on the question. Mr. Macdonald's report was as follows:—

“The Assembly has referred to the Sixth Committee for consideration a proposal submitted by the Delegations of Belgium, the British Empire, and France in the following terms:—

“The Assembly, reiterating the Resolution adopted on 22nd September 1922 by the Third Assembly with reference to Georgia, invites the Council to follow attentively the course of events in this part of the world so that it may be able to seize any opportunity which may occur to help in the restoration of this country to normal conditions by any peaceful means in accordance with the rules of international law.”

This proposal is a textual reproduction of the Resolution adopted in 1922. The Third Assembly, promoted by feelings which we are sure our colleagues all share at the present time, entrusted to

* Page 31 of the Report of the Delegates to the Fourth Assembly.

the Council the duty of watching the situation and seizing any favourable opportunity to improve it by peaceful means in accordance with international law.

"The main features of the situation remain unaltered, and the tragic events which are at this moment taking place in Georgia must bring back to us the anxieties of the Third Assembly. As the Resolution of 1922 is already on record we may venture in addition to express the hope that the Governments of the States Members of the League may perhaps be able to assist the Council, either with information or by exercise of their influence for peace so far as circumstances may permit.

"The Committee requests the Assembly to give instructions for the present report to be communicated to the Council, in order that the latter may be able, at a time and in the manner it may consider most opportune, to take into consideration the indications it contains."

On the 25th September the Assembly adopted the following Resolution:—

The Assembly decides to authorise the transmission to the Council of the report of the Sixth Committee regarding the situation in Georgia in order that the Council may be able, at a time and in the manner it may consider the most opportune, to take into consideration the indications it contains.

Assembly Resolution No. 25 (25 Sept.).

ADMISSION OF THE REPUBLIC OF SAN DOMINGO.

62. A sub-Committee was appointed on the 26th September to consider the application of the Republic of San Domingo for admission to the League. The replies to the questionnaire which was addressed to the representative of the Dominican Republic in accordance with precedent were held to be satisfactory. In reply to the enquiry whether the country was freely governed, it was stated that the temporary occupation of San Domingo by troops of the United States of America came to an end on the 12th July last. On the recommendation of the sub-Committee, which was supported by the Sixth Committee, the Dominican Republic was admitted on the 29th September to the League by the

unanimous vote of 42 States. M. Jacinto de Castro was announced to have been accredited as delegate of the Republic at this session of the Assembly, and took his seat on the invitation of the President.

Miscellaneous Questions.

EXAMINATION OF THE REPLIES OF THE SUB-COMMITTEE OF JURISTS ON QUESTIONS SUBMITTED TO IT BY THE COUNCIL REGARDING THE ITALO-GREEK DISPUTE.

63. During the Fourth Session of the Assembly a Committee of Jurists was asked by the Council to formulate questions in regard to certain points concerning the interpretation of the Covenant and other matters of international law arising out of the Italo-Greek dispute, which the Council had had under consideration.

The Committee of Jurists, which was presided over by M. Adatci (Japan), and on which Lord Buckmaster represented Great Britain, submitted to the Council a list of five questions,* and subsequently furnished replies to them, on which they had reached agreement. The replies were reproduced in the Report of the Council on its work during the past year. The examination of these replies having been proposed by the Netherlands Delegation the Assembly adopted the following Resolution on the 20th September:—

The Assembly decides to place on its agenda and to refer to the Sixth Assembly the following proposal by the Netherlands Delegation.

Assembly Resolution No. 9 (22 Sept.).

The Assembly having taken note of the replies of the sub-Committee of Jurists appointed in pursuance of the Resolution adopted by the Council on 28th September 1923, and considering that certain points in these replies require elucidation, requests the First Committee to consider how far such elucidation would be desirable.

INSTRUCTION IN UNIVERSITIES AND SCHOOLS REGARDING THE AIMS OF THE LEAGUE.

64. The Assembly passed the following Resolution on the 20th September:—

The Assembly decides to place on its agenda and to refer to the sixth Assembly the proposal of the Uruguyan delegation that the Council should be requested to instruct

Assembly Resolution No. 34 (29 Sept.).

*Page 48 of the Report of the Delegates to the Fourth Assembly.

the Committee on Intellectual Co-operation to invite all teachers and professors to collaborate in the work of the League by preparing and distributing to all scholastic institutions literature instructing the young in the aims of the League.

GENERAL TREATY OF ARBITRATION BETWEEN SWITZERLAND AND ITALY.

65. The Assembly passed the following Resolution on the 29th September:—

- The Assembly, having heard with great interest the communication made by the first delegate of Italy, M. Salandra, and the declaration of M. Motta, President of the Assembly, with regard to the signature of a general treaty of arbitration between Switzerland and Italy?

• Expresses to the Governments signatories of the agreement, its lively satisfaction at the conclusion of this treaty, the high importance of which is in conformity with the spirit which inspires the work of the fifth Assembly of the League of Nations.

TRIBUTE TO M. LÉON BOURGEOIS.

66. The Assembly passed the following Resolution on the 2nd October:—

The Assembly, before closing its Fifth Session, requests its President to send a telegram to His Excellency M. Léon Bourgeois, in order to communicate to him the approval given to the Protocol on Arbitration, Security, and Disarmament, and to pay, on behalf of the Assembly, a tribute of deep gratitude for the eminent services which he has rendered to the cause of justice and international peace.

Concluding Remarks.

67. Before concluding our Report we wish to place on record our warm appreciation of the valuable services rendered

by other Members attached to the Indian Delegation in Geneva.

We were fortunate in again having temporarily at our disposal the services of Mr. Campbell, whose experience and knowledge of the most important questions at issue were of great value. We had also to congratulate ourselves on the fact that H. H. the Maharajah of Bikaner was accompanied by Sir Stanley Reed, whose knowledge of Indian affairs and whose tact and courtesy made him a very welcome addition to the Delegation, who have every reason to be appreciative of his services as Substitute in the Second and Third Committees.

We desire at the same time to pay a tribute to the ability and untiring zeal of Mr. Patrick, whose services as Secretary of the Delegation were invaluable. Mr. Patrick's intimate acquaintance with the work of the India Office, coupled with experience gained locally in India and a thorough knowledge of the French language, made in him a combination that it would be difficult to reproduce. He was a very useful Substitute in the Fourth Committee. We are confident of the success of his future.

Mr. Ottewill was present at Geneva for the fourth year in succession as Assistant Secretary and we have every reason to commend his efficiency and industry. We wish at the same time to mention the excellent services rendered by Miss Larkin and Mr. Dunn as confidential shorthand writers and typists.

Mr. Hills of the India Office, has accompanied several successive Delegations to Geneva as Messenger, and has again this year proved very efficient.

(Signed) HARDINGE OF PENSHURST.

GANGA SINGH, MAHARAJAH OF BIKANER.

M. RAFIQUE.

12th November 1924.

APPENDIX I.

List of States represented and their Delegates. (Many Delegations were also accompanied by Substitute Delegates other than those mentioned in this List, and numerous Expert Advisers)

ALBANIA.—M. Fan Stylien Noli (Prime Minister). (In the absence of M. Fan Noli, M. Konitza acted as First Delegate.) M. Louis Gurakùqi (Finance Minister). M. Mehmed Konitza (Minister Plenipotentiary at Paris and London).

Substitute.—M. Benoit Blinishti (Consul-General in Switzerland, Director of the Permanent Secretariat accredited to the League of Nations).

ARGENTINE.—Not represented.

AUSTRALIA.—The Hon. Sir Littleton E. Groom, K.C.M.G., K.C., M.P., (Attorney-General for the Commonwealth of Australia). The Right Hon. Sir Joseph Cook, P.C., G.C.M.G. (High Commissioner in London). The Hon. Matthew Charlton (Leader of the Opposition).

Substitutes.—Mrs. S. M. Allan, LL.B. Sir William G. McBeath, K.B.E.

AUSTRIA.—Mgr. Seipel, Federal Chancellor, acted as head of the Austrian Delegation during his stay in Geneva. His Excellency M. Albert Mensdorff-Pouilly-Dietrichstein (former Ambassador). His Excellency M. Eméric Pfügl (Envoy Extraordinary and Minister Plenipotentiary).

BELGIUM.—M. Theunis (Prime Minister). (On the departure of M. Theunis, M. de Brouckère acted as Third Delegate.) His Excellency M. Paul Hymans (Minister for Foreign Affairs, Minister of State, Member of the House of Representatives, former Minister in London, former Minister for Economic Affairs). His Excellency M. Prosper Poullet (Minister for the Interior and Health, Member and former President of the House of Representatives, former Minister for Sciences and Arts, former Minister for Transport, the Navy, Posts and Telegraphs, Professor of International Law and Diplomatic History at the University of Louvain).

Substitutes.—M. L. de Brouckère (Professor at the University of Brussels). M. Joseph Mélot (Minister Plenipotentiary). M. Henri Rolin (Assistant Legal Adviser to the Ministry for Foreign Affairs). M. Louwers (Member of the Belgian Council for the Colonies). M. van Leynseele (Secretary to the Ministry for Foreign Affairs).

BOLIVIA.—Not represented.

BRAZIL.—His Excellency M. Afranio de Mello-Franco (Member of the Chamber of Deputies, Ambassador on Special Mission, Brazilian Representative on the Council of the League of Nations, former Minister of State, former Ambassador on Special Mission in Bolivia, Member of the Permanent Court of Arbitration at the Hague, Professor at the Faculty of Law of Bello-Horizonte (State of Minas-Geraes), former President of the Brazilian delegation to the fifth Pan-American Conference at Santiago). His Excellency M. Raul Fernandes (Envoy Extraordinary and Minister

Plenipotentiary on Special Mission, former Member of the Chamber of Deputies, former Delegate at the Peace Conference and on the Reparation Commission). His Excellency M. Frederico de Castello Branco-Clark (Envoy Extraordinary and Minister Plenipotentiary, Deputy Minister on the Permanent Delegation accredited to the League of Nations, former Chef de Cabinet of the Minister for Foreign Affairs).

BRITISH EMPIRE.—The Right Hon. James Ramsay Macdonald, M.P. (Prime Minister, First Lord of the Treasury, Secretary of State for Foreign Affairs). (On the departure of Mr. Ramsay Macdonald, Professor Gilbert Murray took his place as a full delegate.) The Right Hon. Lord Parmoor, P.C., K.C.V.O. (Lord President of the Council). The Right Hon. Arthur Henderson, P.C., M.P. (Secretary of State for the Home Department).

Substitutes.—Professor George Gilbert Aimé Murray, LL.D., D.Litt. Sir Hubert Llewellyn Smith, G.C.B. (Economic Adviser to the British Government). Mrs. Helena M. Swanwick. Sir Cecil J. B. Hurst, K.C.B. (Legal Adviser to the Foreign Office).

Assistant Delegate.—Mr. Charles Roden Buxton.

BULGARIA.—His Excellency M. Christo Kalfoff (Minister for Public Worship and Foreign Affairs). His Excellency M. Mikail Madjaroff (Member of the Chamber of Deputies, former Minister for Public Worship and Foreign Affairs). His Excellency M. Georges Danailow (Member of the Chamber of Deputies, former Minister).

Substitute.—M. Svétoslav Roménow (Director of Political Affairs at the Ministry for Foreign Affairs).

CANADA.—The Hon. Raoul Dandurand, C.R., LL.D. (Senator, Member of the Privy Council, Minister of State, Representative of the Government in the Senate). The Hon. Edward Mortimer Macdonald, C.R. (Member of Parliament, Member of the Privy Council, Minister for National Defence).

Substitute.—Mr. Oscar Douglas Skelton, M.A., Ph.D. (Counsellor to the Ministry for External Affairs).

CHILE.—His Excellency M. Armando Quezada (former Prime Minister, former Finance Minister, Envoy Extraordinary and Minister Plenipotentiary in France). His Excellency M. Enrique Villegas (former Prime Minister, former Minister for Foreign Affairs, Ambassador at Rome).

Substitute and Secretary-General.—M. Jorge Valdés-Mendeville (Chargé d'Affaires at Berne).

CHINA.—His Excellency M. Tang Tsai-Fou (Envoy Extraordinary and Minister Plenipotentiary at Rome). His Excellency M. Tch'enne Linne (Envoy Extraordinary and

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

Substitutes.—Dr. C. C. Wang (Director-General of the Chinese Eastern Railway). M. Wang Tseng-Sze (Counsellor of Legation, Secretary-General of the Chinese Delegation accredited to the League of Nations). Dr. Tcheou Wei (First Secretary of Legation, Director of the Permanent Office at Geneva of the Chinese League of Nations Service).

COLOMBIA.—His Excellency Dr. Francisco José Urrutia (former Minister for Foreign Relations, Minister Plenipotentiary in Switzerland).

COSTA RICA.—His Excellency M. Manuel de Peralta (Minister Plenipotentiary).

CUBA.—His Excellency M. Cosmé de la Torriente (Ambassador at Washington, former Minister for Foreign Affairs, former President of the Committee for Foreign Affairs of the Senate, Member of the Permanent Court of Arbitration at the Hague). His Excellency M. Aristides de Agüero y Bethancourt (Envoy Extraordinary and Minister Plenipotentiary at Berlin and Vienna). His Excellency M. Guillermo Patterson (Under Secretary of State for Foreign Affairs, Envoy Extraordinary and Minister Plenipotentiary).

Substitutes.—His Excellency M. Guillermo de Blanck (Envoy Extraordinary and Minister Plenipotentiary in Switzerland and the Netherlands). His Excellency M. Carlos de Armenteros (Envoy Extraordinary and Minister Plenipotentiary at Rome).

CZECHOSLOVAKIA.—His Excellency Dr. Eduard Benes (Minister for Foreign Affairs). His Excellency Dr. Stephen Osusky (Envoy Extraordinary and Minister Plenipotentiary at Paris). His Excellency Dr. Ferdinand Veverka (Envoy Extraordinary and Minister Plenipotentiary at Bucharest).

Substitutes.—His Excellency M. Jan Dvoracek (Minister Plenipotentiary, Chief of the Economic Division at the Ministry for Foreign Affairs). Dr. Jan Kremer (Professor at the University of Prague). M. Jan Masaryk (Counsellor of Legation at the Ministry for Foreign Affairs). M. Rudolf Künzl-Jizersky (Counsellor of Legation in the Political Division of the Ministry for Foreign Affairs).

DENMARK.—His Excellency M. Herluf Zahle (Envoy Extraordinary and Minister Plenipotentiary at Berlin, Member of the Permanent Court of Arbitration). M. F. Borgbjerg (Minister for Social Affairs, Member of Parliament). M. Laust Moltesen (Doctor of Philosophy, Member of Parliament). M. Stauning, Prime Minister, acted as First Delegate during his stay in Geneva.

Substitutes.—His Excellency M. Andreas d'Oldenburg (Envoy Extraordinary and Minister Plenipotentiary at Berne, Representative of the Royal Government accredited to the League of Nations Office). M. Peter Munch (Doctor of Philosophy, former Minister for Defence, Member of Parliament). M. Holger Andersen (Member of Parliament).

ESTHONIA.—His Excellency M. Charles Robert Pusta (Minister for Foreign Affairs).

Général Jaan Laidoner (Member of the Chamber of Deputies, former Commander-in-Chief of the Esthonian Army). M. Ado Anderkopp (Member of the Chamber of Deputies, former Minister).

ETHIOPIA.—Aba Wolo Ras Nadeou (Governor of Gorea). Count Robert Linant de Bellefonds (Adviser to the Abyssinian Government). Ato Sahlé Sedalou (Secretary-General for Foreign Affairs).

FINLAND.—His Excellency M. Hjalmar Johan Procopé (Minister for Foreign Affairs). In the absence and after the departure of M. Procopé, M. Holsti acted as Third Delegate.) His Excellency M. Carl Johan Alexis Enckell (Envoy Extraordinary and Minister Plenipotentiary at Paris, former Minister for Foreign Affairs). His Excellency M. Rafael Waldemar Erich (Professor of International Law at the University of Helsingfors, Envoy Extraordinary and Minister Plenipotentiary (unattached), former Prime Minister).

Substitutes.—His Excellency M. Eino Rudolf Holsti (Envoy Extraordinary and Minister Plenipotentiary at Tallinn, former Minister for Foreign Affairs). M. Kaarlo Väinö Voionmaa (Professor of the History of Finland and of the Northern Countries at the University of Helsingfors). M. Urho Toivola (Director of the Finnish Secretariat accredited to the League of Nations).

FRANCE.—His Excellency M. Edouard Herriot (Prime Minister, Minister for Foreign Affairs). (During M. Herriot's stay in Geneva, M. Paul Boncour acted as Substitute Delegate.) His Excellency M. Léon Bourgeois (Senator, former Prime Minister, former President of the Senate, Representative of the French Republic accredited to the League of Nations). His Excellency M. Aristide Briand (Member of the Chamber of Deputies, former Prime Minister). His Excellency M. Paul Boncour (Member of the Chamber of Deputies, President of the Advisory Committee of the Higher Council for Defence).

Assistant Delegates.—M. Louis Loucheur (Member of the Chamber of Deputies, former Minister). M. Henry de Jouvenel (Senator, former Minister). M. Maurice Sarraut (Senator).

Substitutes.—M. Georges Bonnet (Member of the Chamber of Deputies). M. Léon Jouhaux (Secretary-General of the General Labour Confederation). M. René Cassin (Professor of the Faculty of Law at Lille, Honorary President of the Federal Union of the Mutilated and Former Combatants).

GREECE.—His Excellency M. Nicolas Politis (former Minister for Foreign Affairs, Envoy Extraordinary and Minister Plenipotentiary in France). His Excellency M. E. J. Tsouderos (Finance Minister). M. André Andreades (Professor at the University of Athens).

Substitutes.—M. St. Seferiades (Professor at the University of Athens). M. Nicolas Souidas (Director of the League of Nations Section at the Ministry for Foreign Affairs).

GUATEMALA.—M. R. Pineda de Mont.

HAITI.—His Excellency M. Bonamy (Envoy Extraordinary and Minister Plenipotentiary at Paris).

HONDURAS.—Not represented.

HUNGARY.—Count Bethlen, Prime Minister, acted as First Delegate during the discussion in the Assembly on the question of the reconstruction of Hungary. His Excellency Count Albert Apponyi (Member of the National Assembly, former Minister for Public Worship and Education). His Excellency Baron Frédéric Korányi (Finance Minister). General Gabriel Tánzos (former Minister for Foreign Affairs).

Substitute.—Count Alexandre Khuen-Héderváry (First Counsellor of Legation).

INDIA.—The Right Hon. Lord Hardinge of Penshurst, K.G., G.C.B., G.C.S.I., G.C.M.G., G.C.I.E., G.C.V.O., I.S.O. (Privy Councillor, former Viceroy, former Ambassador). Major-General His Highness the Maharaja of Bikaner, G.C.S.I., G.C.I.E., G.C.V.O., G.B.E., K.C.B., A.D.C., LL.D. (Chancellor of the Chamber of Princes). Sir Muhammad Rafique (Member of the Council of State).

Substitutes.—Captain Maharaj Kumar of Bikaner, C.V.O. Sir Stanley Reed, K.B.E. Mr. John Campbell, C.S.I., O.B.E. Mr. P. J. Patrick (Secretary and Substitute Delegate).

IRISH FREE STATE.—Mr. Desmond Fitzgerald (Minister for Foreign Affairs). Mr. Patrick McGillan (Minister for Commerce and Industry). Mr. John O'Byrne (Attorney-General).

Substitutes.—Mr. James McNeil (High Commissioner in London). Marquis MacSwiney of Mashanaglass (Member of the Royal Irish Academy). Mr. John O'Sullivan (Member of Parliament, Doctor of Philosophy, Professor at the National University of Ireland). Mr. Michael Heffernan (Member of Parliament).

ITALY.—His Excellency Professor Antonio Salandra (former Prime Minister, Member of the Chamber of Deputies). His Excellency M. Vittorio Scialoja (former Minister for Foreign Affairs, Senator). His Excellency M. Carlo Schanzer (former Minister for Foreign Affairs, Vice-President of the Council of State, Senator).

Substitutes.—His Excellency Count Lelio-Bonin-Longare (Ambassador and Senator). Dr. Alberto Pironti (Prefect and Senator). Brig. Gen. Alberto de Marinis Stendardo di Rigigliano (Senator, Representative of Italy on the Permanent Advisory Commission for Military, Naval and Air Questions, Member of the Temporary Mixed Commission for the Reduction of Armaments). His Excellency M. Giovanni Cirao (President of the Italian Red Cross, Senator). M. Stefano Cavazzoni (former Minister for Labour, Member of the Chamber of Deputies). Count Fulco Tosti di Valminuta (Member of the Chamber of Deputies, former Under Secretary of State for Foreign Affairs). M. Paolo Bignami (Engineer, former Under Secretary of State, former Member of the Chamber of Deputies). Marquis Giuseppe Medici del Vascello (Envoy Extraordinary and Minister Plenipotentiary). Count Antonio Cippico (Senator). Baron Gian Alberto Blanc (Member of the Chamber of Deputies). M. Massimo Pillotti.

JAPAN.—His Excellency Viscount K. Ishii (Ambassador to France, former Minister for Foreign Affairs, Japanese Representative on the Council of the League of Nations). His Excellency M. Minéitcirô Adato (Ambassador to Belgium, Vice-President of the Institute of International Law). His Excellency M. M. Matsuda (Minister Plenipotentiary).

Substitutes.—M. Yotaro Sugimura (Counsellor of Embassy, Assistant Head of the Japanese Office accredited to the League of Nations). M. I. Fokugawa (First Secretary of Embassy in London). M. N. Ito (First Secretary of Legation at The Hague).

LATVIA.—His Excellency M. Louis Seya (Minister for Foreign Affairs). His Excellency Dr. Michel Walters (Envoy Extraordinary and Minister Plenipotentiary at Paris). M. Félix Cielens (Member of the Chamber of Deputies, President of the Foreign Affairs Committee).

Substitutes.—M. Vilis Schumans (Director of the Political Department at the Ministry for Foreign Affairs). M. Jules Feldmans (Chief of the Section for the League of Nations at the Ministry for Foreign Affairs).

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

Substitute.—M. Nicolas Ooms (First Secretary of Legation).

LITHUANIA.—His Excellency M. Ernest Galvanauskas (former Prime Minister and Minister for Foreign Affairs, Envoy Extraordinary and Minister Plenipotentiary in London). His Excellency M. Wenceslas Sidzikauskas (Envoy Extraordinary and Minister Plenipotentiary at Berlin). M. Bronius K. Balutis (Director of the Political Section at the Ministry for Foreign Affairs).

LUXEMBURG.—M. Tony Lefort (Counsellor of State, former Chargé d'Affaires in Switzerland).

Substitute.—M. Ch. Vermaire (Consul at Geneva).

NETHERLANDS.—His Excellency Jonkheer H. A. Van Karnebeek (Doctor of Law and Political Science, Minister for Foreign Affairs). His Excellency Jonkheer J. Loudon (Doctor of Political Science, Envoy Extraordinary and Minister Plenipotentiary at Paris, former Minister for Foreign Affairs). Jonkheer W. J. M. van Eysinga (Doctor of Law and Political Science, Professor at the University of Leyden).

Substitutes.—Count F. A. C. Van Lynden Van Sandenburg (Doctor of Law and Political Science, Grand Chamberlain of Her Majesty the Queen of the Netherlands, former Government Commissioner in the Utrecht province, former Member of the Second Chamber of the States General). M. J. Limburg (Doctor of Law, President of the Order of Barristers at The Hague, former Member of the Second Chamber of the States General, Member of the Executive Committee of the States Provincial of Southern Holland). M. J. P. A. Francois (Doctor of Law and Political Science, Head of the League of Nations Section at the Ministry for Foreign Affairs, Extraordinary Professor at the School for Higher Commercial Studies at Rotterdam).

NEW ZEALAND.—Col. the Hon. Sir James Allen (High Commissioner in London).

Substitute and Secretary.—Mr. C. Knowles.

NICARAGUA.—Dr. A. Sottile.

NORWAY.—Dr. Fridtjof Nansen (Professor at the University of Christiania). His Excellency M. Otto Albert Blehr (former Prime Minister). M. Christian Fredrik Michelet (Barrister, former Minister for Foreign Affairs).

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

PANAMA.—His Excellency M. Narciso Garay (Minister for Foreign Affairs). His Excellency M. Antonio Burgos (Minister in Italy and Switzerland).

PARAGUAY.—Dr. Ramon V. Caballero (Chargé d'Affaires in Paris).

PERSIA.—His Highness Prince Mirza Riza Khan Arfa-od-Dovleh (Ambassador, former Minister for Justice).

PERU.—Not represented.

POLAND.—His Excellency M. Aleksander Skrzynski (Doctor of Law, Minister for Foreign Affairs, Permanent Delegate to the League of Nations). His Excellency M. Henryk Strasburger (Minister Plenipotentiary, Commissioner-General of the Polish Republic at Danzig, former Under Secretary of State for Foreign Affairs). His Excellency M. August Zaleski (Envoy Extraordinary and Minister Plenipotentiary in Italy).

Substitutes.—His Excellency M. Jean de Modzelewski (Envoy Extraordinary and Minister Plenipotentiary at Berne). M. Francois Sokal (Polish Delegate on the Governing Body of the International Labour Office).

Assistant Delegates.—M. Léon Babinski (Counsellor of Legation, Legal Adviser to the Ministry for Foreign Affairs). M. Juljusz Lukaszewicz (Counsellor of Legation, Assistant Director of the Political Department at the Ministry for Foreign Affairs). M. Oscar Halecki (Professor at the University of Warsaw).

PORTUGAL.—His Excellency M. João Chagas (former Prime Minister, former Minister for Foreign Affairs). His Excellency Dr. Augusto de Vasconcellos (former Prime Minister, former Minister for Foreign Affairs, Senator). His Excellency General Alfredo Freire d'Andrade (former Minister for Foreign Affairs, former Governor of Mozambique).

Substitute and Secretary-General.—His Excellency M. Antonio Maria Bartholemeu Ferreira (Minister in Switzerland).

ROUMANIA.—His Excellency M. Jean G. Duca (Minister for Foreign Affairs). His Excellency M. Nicolas Titulesco (Envoy Extraordinary and Minister Plenipotentiary in London, Permanent Delegate to the League of Nations, former Finance Minister, Professor at the University of Bucharest) (afterwards First Delegate). His Excellency M. Nicolas Petresco Comnène (Envoy Extraordinary and Minister Plenipotentiary in Switzerland, Permanent

Delegate to the League of Nations) (afterwards Second Delegate).

Substitutes.—M. Sextil Puscariu (Chancellor of the Cluj University) afterwards Third Delegate). Mlle. Hélène Vacaresco.

SALVADOR.—His Excellency Dr. J.° Gustavo Guerrero (Envoy Extraordinary and Minister Plenipotentiary in France and Italy).

SAN DOMINGO.—M. Jacinto de Castro.

SERBS, CROATS AND SLOVENES, KINGDOM OF THE.—His Excellency Dr. Volslav Marinkovitch (Minister for Foreign Affairs). His Excellency Dr. Ilija Choumenkovitch (Minister for Commerce and Industry). His Excellency Dr. Kosta Koumanoudi (former Finance Minister, Member of the Chamber of Deputies) (afterwards First Delegate).

Substitutes.—Dr. Miléta Novakovitch (Professor of the University of Belgrade) (afterwards Third Delegate). Dr. Ladislav Politch (Professor at the University of Zagreb) (afterwards Second Delegate). Dr. Leonidas Pitamic (Professor at the University Ljubljana).

SIAM.—His Highness Prince Charoon (Minister at Paris, Representative accredited to the Secretariat of the League of Nations). His Excellency Phya Sanpakitch Preecha (Minister at Rome).

SOUTH AFRICA.—The Hon. Sir Edgar Harris Walton, K.C.M.G. (High Commissioner in London). Sir Henry Strakosch, K.B.E. His Honour G. R. Hofmeyr, C.M.G. (Administrator of South-West Africa).

SPAIN.—His Excellency M. José Quiñones de León (Ambassador in Paris; Spanish Representative on the Council of the League of Nations). His Excellency M. Emilio de Palacios (Envoy Extraordinary and Minister Plenipotentiary at Berne).

Substitutes.—His Excellency M. Eduardo Cobián (former Under Secretary of State for Finance). M. Leopoldo Palacios (former Under Secretary of State for Finance, Professor at the University of Madrid).

Substitute and Legal Adviser.—M. Cristóbal Botella (Doctor of Law, Legal Adviser to the Spanish Embassy in Paris, President of the Franco-German Mixed Arbitral Tribunal).

SWEDEN.—His Excellency Baron Erik T. Marks von Wurtemberg (Minister for Foreign Affairs). His Excellency M. K. Hjalmar Branting (former Prime Minister, former Minister for Foreign Affairs, Swedish Representative on the Council of the League of Nations). (Following the departure of the Foreign Minister M. Branting was First Delegate.) M. Jonas Eliel Loefgren (former Minister of Justice).

Substitutes.—His Excellency Baron Sten Gustaf Fredrik Troil Ramel (Envoy Extraordinary and Minister Plenipotentiary at Berlin). (On the departure of the Prime Minister Baron Ramel acted as Delegate.) Mme. Anna Bugge-Wicksell (Master of Law). M. Oesten Undén (former Minister for Justice, Professor at the Upsal University).

SWITZERLAND.—His Excellency M. Giuseppe Motta (Federal Councillor, Head of the Federal Political Department). His Excellency M. Gustave Ador (former Federal Councillor, President of the International Red Cross Committee). Dr. Robert Forrer (Vice-President of the National Council).

Substitutes.—Colonel B. Henri Bolli (Member of the Council of States). Professor Walter Burckhardt (Chancellor of the Berne University).

URUGUAY.—His Excellency M. Alberto Guani (Envoy Extraordinary and Minister Plenipotentiary in Belgium and the Netherlands, Representative of Uruguay on the Council of the League of Nations). His Excellency M. Benjamin Fernandez y Medina (Envoy Extraordinary and Minister Plenipotentiary in Spain,

former Under Secretary of State). His Excellency M. Enrique Buero (Envoy Extraordinary and Minister Plenipotentiary in Switzerland, former Under Secretary of State and Financial Under Secretary, former Member of the Chamber of Deputies).

Substitute.—M. Manuel Herrera y Reissig (Secretary of Legation).

VENEZUELA.—His Excellency M. César Zumeta (former Senator, former Minister for the Interior, Envoy Extraordinary and Minister Plenipotentiary at Rome). His Excellency M. Diógenes Escalante (Envoy Extraordinary and Minister Plenipotentiary in London). His Excellency M. Caracciolo Parra-Pérez (Special Minister Plenipotentiary to the Swiss Federal Council, Chargé d'Affaires at Berne).

APPENDIX II.

Miscellaneous Documents.

ANNEX I.—*Financial Reconstruction of Hungary.*

STATEMENT BY MR. J. SMITH, COMMISSIONER-GENERAL FOR HUNGARY, TO THE SECOND COMMITTEE.

The financial reconstruction of Hungary is one of the steps necessary to re-establish normal economic conditions in Central Europe. Only a year ago, when the Assembly met, the League had not undertaken this important piece of construction work. During the session, however, the Council authorised the Financial Committee, to prepare a plan if the Reparation Commission should extend to the League an invitation to co-operate in this work. To day the plan has been in operation for four months and I will describe briefly the events of the past year and report to you the progress which has been made.

Hungary, which is essentially an agricultural country and under normal conditions should produce enough to feed its own population and have an exportable surplus of food stocks and cattle, had hoped to recover from the effects of the war through its own efforts. Unfortunately the disorganisation caused by the war; political difficulties, both internal and external, following the armistice; the liability for reparations and the difficulty of reorganising a political and commercial establishment designed for a country three times its present size, presented obstacles which could not be overcome. Notwithstanding great exertions the budget became unbalanced and the Government was forced to have recourse to the printing press to meet its current expenses. This action was followed by the same consequences that have occurred in other countries under similar circumstances. Inflation produced a continually increasing depreciation of the currency until it was apparent that the only means of arresting it was a foreign loan to meet the deficit during the period necessary for a financial reorganisation. Before the meeting of the Assembly last year Hungary attempted to secure such a loan, but the existence of the liability to reparations which were a first charge on all the assets of the country made this impossible. Geneva afforded a mutual ground upon which negotiations could be carried on between all the countries interested; and as a result of these negotiations the Reparation Commission, within a month after the adjournment of the Assembly, invited the League to prepare a plan for the financial reconstruction of Hungary and indicated its willingness to postpone the lien of reparations to that of a reconstruction loan if a suitable plan were produced.

This plan was prepared by the Financial Committee of the League after a most careful examination of the situation, first by the members of the Secretariat and finally by a visit of the Committee to Budapest, where conferences were had with the members of the Government and with representatives of all varieties of opinion. The League has been fortunate enough to secure as members of this Financial Committee men of great experience and ability in financial and

economic affairs in the different countries of Europe, whose services it would have been impossible to secure for any compensation, but who willingly gave them to the League and the cause of reconstruction. Securing the advice of these experienced men is one of the most valuable features of the entire plan, and I do not believe it could have been done except through the agency of the League.

Upon presentation of the plan the Reparation Commission adopted a resolution postponing the lien of reparations to the reconstruction loan, thereby affording an opportunity to Hungary to create a charge upon its assets and revenues prior to the claims for reparations and without which a loan would have been impossible. At the same time the Reparations Commission fixed the reparation payments for Hungary for 20 years at an amount not exceeding an average of 10,000,000 gold crowns a year, thus affording protection against the paralysing uncertainty of an undefined liability. This was followed by the execution in Geneva of two Protocols, the first sometimes called the Political Protocol, executed by Hungary, its neighbours and also Great Britain, France and Italy, in which all these countries undertook to respect the political independence, territorial integrity and sovereignty of Hungary; agreed not to seek any special or exclusive economic or financial advantages calculated to compromise that independence, and to abstain from any act contrary to the conventions for the economic and financial reconstruction of Hungary or which might affect the guarantees to be given to the holders of the reconstruction loan and to appeal in case of difference to the Council of the League of Nations. Hungary on its part entered into a similar obligation and executed a second Protocol accepting and agreeing to carry out the reconstruction plan.

One more step was necessary before Hungary could create a clean first charge on its assets and revenues, which was an indispensable feature of the loan. This was the postponement of the prior charge of the relief bonds given by Hungary to the eight countries which had furnished it assistance. The Hungarian Government was able to secure the subordination of these relief bonds to the charges created in favour of the reconstruction loan, and I desire to thank those countries for this essential act of co-operation in the reconstruction plan.

The plan itself follows closely the precedent of the Austrian plan with modifications and improvements which are the natural result of the Austrian experience. It provides for the stoppage of inflation through the creation of a new National Bank of Issue independent of the Government and of political control with the exclusive right to issue bank notes, prohibited from making advances to the Government or other public bodies except against adequate security and operating under statutes approved by eminent bankers, requiring adequate cover for currency notes and based upon sound and proved banking principles.

It provides for the ultimate balancing of the

budget by the adoption of budgets covering the next two years, the deficit during the period to be met from the proceeds of a loan. If the budgets are adhered to, Hungary should be self-supporting at the end of two years. It provides security for the loan through the creation of a clean first charge upon some of the most productive revenues, with provision for the inclusion of other revenues if necessary. Further security is afforded by conferring upon the Commissioner-General the control of the proceeds of the loan and of the revenues pledged to secure it, which control must be exercised to carry out the programme of reform, and, in the event that the budget programme is not adhered to, the Commissioner-General is entrusted with very great powers to ensure the due execution of the plan.

The Protocols were executed in March and in a little more than a month thereafter the Hungarian Government had adopted laws approved by a delegation of the League which visited Budapest for the purpose, granting full powers during the entire period of reconstruction. A fortnight thereafter I arrived in Budapest, and on 1st May the operation of the reconstruction plan had commenced.

The first and most necessary step was the issue of the reconstruction loan, the negotiations for which were undertaken by the Hungarian Government, whose delegation received untiring support from the members of the Financial Committee. The Austrian loan had been guaranteed by various Governments. The Hungarian loan was not so guaranteed, but was dependent on the resources of Hungary and the soundness of the plan adopted by the League. Doubts had been expressed as to whether bankers would be willing to undertake the issue of the Hungarian loan without guarantees similar to those obtained in the case of Austria. Happily those doubts proved unfounded and the loan was issued in July in eight different countries—Great Britain, Italy, Switzerland, Sweden, Czechoslovakia, Holland, Hungary and the United States of America—and was entirely successful. This result is a gratifying endorsement of the work of the Financial Committee and the soundness of its judgment, and has provided the Hungarian Government with an effective amount of 250,000,000 gold crowns to cover the budget deficits up to 30th June 1926.

To meet the expenses of the Government pending the issue of the loan, the Hungarian Government, by internal and external loans which involved great sacrifices on the part of the Hungarian people, raised a very large amount of money.

The National Bank has been opened with a capital subscribed almost entirely within Hungary and inflation definitely ended on 24th June. As a result the Hungarian currency has been stabilised, one of the most important steps in the creation of confidence in the stability of conditions which will enable those within and without Hungary to carry on with confidence the commercial and financial transactions which are necessary to the life of the community.

A striking illustration of the return of confidence and its result is provided by the amount of foreign exchange in possession of the new bank and in that of its predecessor, the Devisenzentrale. All exchange operations were by law carried on through the official bank only, which

in consequence was obliged to be in a position to supply all demands for foreign exchange. Before the opening of the new bank the stock of exchange had sunk as low as 1 million Swiss francs, while it has now risen to over 90 millions.

It was a part of the plan to provide funds to meet the deficit of the Hungarian Treasury for its financial year which ended on 30th June last. It is gratifying to note that this deficit has been covered with a substantial saving from the amounts provided for this purpose, which should prove a valuable reserve for the future.

Certain of the revenues of the State have been pledged as specific security in the first instance for the service of the reconstruction loan—those from customs duties, the sugar tax, salt monopoly and the tobacco monopoly. The yield from these is in excess of the estimates of the League. For the last two months this yield has been at a rate more than double these estimates, which were purposely made conservative, and three times more than necessary to meet the service of the loan.

While it is too early to obtain estimates of value of the yield of the direct taxes, those from the indirect taxes, which are not included in the pledged revenues, have been in excess of the estimates, and an examination of the financial situation has convinced me that the revenues estimated by the League will be attained and perhaps exceeded and that they are well within the capacity of the Hungarian people.

The adverse trade balance of Hungary, which is always greatest during the first half of the calendar year, is already 40 per cent. lower than that of 1923, due very largely to increased exports, and I hope that the present year will end with a balance of trade which will be fully met from invisible exports.

The Hungarian Government has commenced the administrative reforms by the adoption of a great number of the decrees necessary to ensure the application of the reconstruction laws and by the discharge of a considerable number of superfluous State employees.

All these steps—the preparation of the plan; the limitation of reparations; the postponement of the prior charges of reparations and relief bonds; the issue of the loan; the passage of the necessary laws; the installation of control; the stoppage of inflation and the stabilisation of the currency—have occurred since the last meeting of the Assembly. They constitute the end of the first stage of Hungarian reconstruction. Through the work of the League, the Hungarian people have now been afforded an opportunity of putting their financial and economic affairs upon a permanently sound basis. Through the faithful co-operation of the Hungarian Government and people, which have given the League and the Commissioner-General every support that could be asked for, we have now entered upon the second stage of the reconstruction plan.

In this stage one of the most important factors for its successful execution will be the limitation of the expenditures of the Government to the figures established in the reconstruction plan. Another important factor will be the resumption of the exchange of goods through the ordinary and normal carrying on of commerce, which has been interfered with in the past by vexatious and artificial obstacles to trade, some of which

were a necessary protection during the crisis created by the depreciation of the currency. Many of these have now been removed, the prohibitions on exportation, including that on the exportation of foreign money, have been abolished, a beginning has been made with the modification of import restrictions, and I hope that commercial treaties can be executed with the neighbouring and with other countries, which, while affording reasonable protection against a large adverse balance of trade, will result in a more normal flow of ordinary commerce and benefit all concerned.

I undertook my duties without having had anything to do with the preparation of the reconstruction plan and with only a slight knowledge of the events which had brought it about. It may be of interest to the Committee to know that I have been specially impressed with two features of the plan. One is the fact that it is a product of international co-operation which I am quite convinced would never have been possible without the active help of the League and the opportunities afforded by it for conducting international negotiations. Geneva provided a place where discussions could take place by word of mouth without loss of prestige and without the danger of creating political entanglements at home, something which could never be done through written diplomatic communications. The League furnished the ground and means for the many countries interested to discuss the matter freely and frankly, and such discussions usually result in some sort of an agreement.

The other fact which has impressed me is that through the assistance and co-operation of the League the plan for financial reconstruction was prepared, the work of very eminent men, non-political in character, impartial and based upon sound principles of economics and finance, and the League has performed a very valuable service in demonstrating that plans of such a character can be prepared without the political features which would inevitably enter into such plans if they were dependent solely upon negotiations between political entities. I am convinced that the plan for the financial reconstruction of Hungary presents a striking illustration of international co-operation which could not have been achieved without the efforts of and the facilities afforded by the League.

I must take this occasion to tell the Committee that I appreciate fully the honour of being entrusted by the Council with the execution of this plan and to assure the Committee that I am fully conscious of the duties and responsibilities connected with it.

The first stage has been successfully passed and I am confident that with the support and co-operation of the Hungarian Government and people, which I am sure will be given, this great work will be carried to a successful conclusion.

ANNEX II.—Draft Convention for the Control of the International Trade in Arms, Munitions and Implements of War.

PREAMBLE.

Whereas the Convention of Saint Germain signed by the High Contracting Parties therein

mentioned has not entered into full force and effect;

Whereas it is necessary to exercise a general supervision over the international trade in arms, munitions and implements of war, with the object of securing the fullest possible publicity in regard to such trade;

Whereas the existing treaties and conventions, and particularly the Brussels Act of 2nd July 1890, regulating the traffic in arms and munitions in certain regions, no longer meet present conditions;

Whereas a special supervision of the maritime zone adjacent to certain countries is necessary to ensure the efficacy of the measures adopted by the various Governments both as regards the import of arms, ammunition and implements of war into these countries and their export from their own territory;

Have appointed:

CHAPTER I.—DEFINITION OF THE ARMS, MUNITIONS AND IMPLEMENTS OF WAR THE INTERNATIONAL TRADE OF WHICH IS TO BE CONTROLLED.

Article 1.

This Convention applies to the following arms, munitions and implements of war:—

CATEGORY I.

1. ARMS AND MUNITIONS, ASSEMBLED OR COMPONENT PARTS, EXCLUSIVELY DESIGNED FOR LAND, SEA OR AERIAL WARFARE, WHATEVER THEIR MODE OF EMPLOYMENT.

(a) All arms and ammunition which are or shall be comprised in the equipment of the armed forces of the different States, including:—

Pistols and revolvers, automatic or self-loading, and developments of the same, designed for single-handed use or fired from the shoulder, of a calibre greater than 6.5 mm. and length of barrel more than 10 cm.; rifles, muskets, carbines; machine-guns, interrupter gears, mountings for machine-guns; aerial gun sights; infantry apparatus for the discharge of projectiles; flame throwers; cannon, long or short, bomb throwers and mortars of all kinds and their carriages, mountings, recuperators, accessories for mounting and sighting apparatus; apparatus for the discharge of all kinds of projectiles, bombs, torpedoes, depth charges, &c.; grenades, bombs, land mines, submarine mines fixed or floating, torpedoes, depth charges; projectiles of all kinds; ammunition and appliances for the above arms and apparatus; bayonets, swords and lances.

(b) All arms and ammunition which, after having been employed in the services of the different States, are no longer part of their equipment but remain capable of being utilised for military purposes to the exclusion of any other utilisation.

2. IMPLEMENTS OF WAR HEREAFTER ENUMERATED AND COMPONENT PARTS WHICH ARE CAPABLE OF BEING UTILISED ONLY IN THE MANUFACTURE OF THE SAID MATERIAL.

Ships of all kinds designed exclusively for war, including submarines and submersibles; airships, aeroplanes and seaplanes designed exclusively for war; tanks; armoured cars.

CATEGORY II.

ARMS AND MUNITIONS, ASSEMBLED OR COMPONENT PARTS, CAPABLE OF USE BOTH FOR MILITARY AND OTHER PURPOSES.

(1) Fire-arms, designed or adapted for non-military purposes, that will fire cartridges that can be fired from fire-arms in Category I. (2) All other rifled fire-arms,

firing from the shoulder, of a calibre of 6 mm. or above, not included in Category I. (3) Ammunition for the arms enumerated above. (4) Gunpowder and explosives.

CATEGORY III.

ARMS AND MUNITIONS HAVING NO MILITARY VALUE.

All the arms and munitions other than those defined in Categories I and II, such as:—

Rifled weapons of a calibre of less than 6 mm. designed for firing from the shoulder; revolvers and automatic pistols of a calibre of 0.5 mm. or less and length of barrel of 10 cm. or less; smooth-bore shot guns; double-barrelled shot-guns of which one barrel is rifled, the other smooth-bore; single-shot pistols; fire-arms firing rimfire ammunition; muzzle-loading fire-arms; life-saving rockets; guns for whaling or other fisheries; signal and saluting guns; humane cattle-killers of all sorts; ammunition for the above.

CHAPTER II.—EXPORT AND TRANSIT OF ARMS, MUNITIONS AND IMPLEMENTS OF WAR.

Article 2.

The High Contracting Parties undertake not to export themselves, and to prohibit the export of arms, munitions and other implements of war enumerated in Category I, except on the conditions hereinafter mentioned.

Article 3.

Notwithstanding this prohibition, the High Contracting Parties may grant in respect of arms, munitions and implements of war whose use is not prohibited by international law, licenses for the export of arms, munitions and implements of war enumerated in Category I, in the following conditions:—

- (1) Licenses are not to be granted except for a direct supply to a Government recognised as such by the Government of the exporting country.
- (2) The Government acquiring the consignment must act through a duly accredited representative.
- (3) Such representative must produce a written authority from the Government he represents for the acquisition of each consignment, which authority must state that the consignment is required for delivery to that Government for its own use.
- (4) The form in which this licence shall be given shall, so far as practicable, be that given as an appendix to the present Convention.

Each licence must contain a description sufficient for the identification of the arms, munitions and implements of war to which it relates and the names of the exporter and the acquiring Government, ports of embarkation and disembarkation, means of transport, intended route and destination.

- (5) A separate licence shall be required for each separate consignment which crosses the frontier of the exporting country, whether by land, water or air, and shall accompany each separate consignment.

- (6) A return of the licences granted shall be sent quarterly to the Central International Office referred to in Article 8 of the present Convention by the issuing Governments; importing Governments, when High Contracting Parties, shall also forward quarterly to the Central International Office a return of the same licences enclosing particulars of the heading under which the imported goods will appear in their import statistics.

Article 4.

Further, licences for the export to private individuals of component parts covered by Category I may be granted on the following conditions:—

The said component parts must be exported direct to a recognised manufacturer of war material, duly authorised by his own Government, on a declaration from him to the effect that the said component parts are required by him.

The Government which grants the licence and the Government of the importer's country shall take all adequate precautions to ensure that the said component parts are sent direct to their destination.

The licences granted in the terms of the present article shall, so far as practicable, be drafted according to the form annexed to the present Convention, and shall conform to the provisions of the present Convention, and particularly to those of Article 8.

Article 5.

Without prejudice to any obligations to which they may have subscribed under international conventions dealing with transit, the High Contracting Parties, when they have reason to believe that any consignment of arms, munitions or implements of war in transit through their territory does not conform to the provisions of the present Convention, undertake to investigate the circumstances and if necessary to prohibit the transit.

Article 6.

Without prejudice to the provisions of Article 7, arms and munitions in Categories II and III may, if the exporter's country so desires, be exported without licence. Provided, nevertheless, that in the case of arms and munitions of Category II the High Contracting Parties hereby undertake to determine from the size, destination and other circumstances of each consignment whether these arms and munitions are intended for war purposes. If such is the case, the High Contracting Parties undertake that the shipments shall become subject to Articles 2 to 5.

Article 7.

The High Contracting Parties further undertake to prohibit the export of arms, munitions and implements of war enumerated in Article 1, to the maritime or territorial zones specified in Article 9.

Nevertheless, the High Contracting Parties may grant export licences, notwithstanding this prohibition, provided that they conform to the provisions of Articles 3 to 5. The competent

authorities must satisfy themselves, before issuing the licences, that the arms, munitions or implements of war are not intended for export to any destination or for disposal in any way contrary to the provisions of this Convention.

Article 8.

A Central International Office shall be established by the Council of the League of Nations for the purpose of collecting, preserving and publishing documents of all kinds exchanged by the High Contracting Parties with regard to the trade in and the distribution of arms, munitions and implements of war, as well as the text of all laws, orders and regulations made for the carrying out of the present Convention.

Each of the High Contracting Parties shall publish an annual return of the export licences which each may have granted in respect of arms, munitions and implements of war in pursuance of the present Convention, mentioning the quantities and destination of the arms, munitions and implements of war to which the export licences refer. A copy of this return shall be sent to the Central International Office.

The High Contracting Parties further undertake to forward to the Central International Office all information which they will be in a position to provide relating to consignments under contracts entered into before the coming into force of the present Convention.

CHAPTER III.—IMPORT OF ARMS, MUNITIONS AND IMPLEMENTS OF WAR.

PROHIBITED ZONES.

Article 9.

The High Contracting Parties undertake, each as far as the territory under its jurisdiction is concerned, to prohibit the importation of arms, munitions and implements of war into the following territorial zones, and also to prevent their exportation to, importation and transportation in the territorial zones as well as in the maritime zone defined below.

Special licences for the import of arms, munitions and implements of war into the zones defined above may be issued. In the African zone they shall be subject to the regulations specified in Articles 10 and 11 or to any local regulations of a stricter nature which may be in force.

In the other zones specified in the present Article, these licences shall be subject to similar regulations put into effect by the Governments exercising authority there.

CHAPTER IV.—SUPERVISION ON LAND.

Article 10.

Arms, munitions and implements of war exported under licence into the prohibited zones shall be admitted only at ports, or other places of entry, designated for this purpose by the authorities of the State, Colony, Protectorate or territory under mandate concerned.

Such arms, munitions and implements of war must be deposited by the importer at his own risk and expense in a public warehouse under the exclusive custody and permanent control of the Authority and of its agents, of whom one at least must be a civil official or a military or naval officer. No arms, munitions or implements of war shall be deposited or withdrawn without the previous authorisation of the administration of the State, Colony, Protectorate or territory under mandate, unless the arms, munitions and implements of war to be deposited or withdrawn are intended for the forces of the Government or the defence of the national territory.

The withdrawal of arms, munitions or implements of war deposited in those warehouses shall be authorised only in the following cases:—

- (1) For despatch to places designated by the Government where the inhabitants are allowed to possess arms, under the control and responsibility of the local authorities, for the purpose of defence against robbers or rebels.
- (2) For despatch to places designated by the Government as warehouses and placed under the supervision and responsibility of the local authorities.
- (3) For individuals who can show that they require them for their legitimate personal use.

Article 11.

In the prohibited zones specified in Article 9, trade in arms, munitions and implements of war shall be placed under the control of officials of the Government and shall be subject to the following regulations:—

- (1) No person may keep a warehouse for arms, munitions or implements of war without a licence.
- (2) Any person licensed to keep a warehouse for arms, munitions or implements of war must reserve for that special purpose enclosed premises, having only one entry, provided with two locks, one of which can be opened only by the officers of the Government.

The person in charge of a warehouse shall be responsible for all arms, munitions or implements of war deposited therein and must account for them on demand. For this purpose all deposits or withdrawals shall be entered in a special register, numbered and initialled. Each entry shall be supported by references to the official documents authorising such deposits or withdrawals.

- (3) No transport of arms, munitions or implements of war shall take place without a special licence.
- (4) No withdrawal from a private warehouse shall take place except under licence issued by the local authority on an application stating the purpose for which the arms or ammunition are required, and supported by a licence to carry arms or by a special permit for the purchase of ammunition. Every arm shall be registered and stamped; the authority in charge of the

control shall enter on the licence to carry arms the mark stamped on the weapon.

- (5) No one shall without authority transfer to another person either by gift or for any consideration any weapon or ammunition which he is licensed to possess.

Article 12.

In the prohibited zones specified in Article 9, the manufacture and assembling of arms, munitions or implements of war shall be prohibited, except at arsenals established by the local Government or, in the case of countries placed under tutelage, at arsenals established by the local Government, under the control of the mandatory Power, for the defence of its territory or for the maintenance of public order.

No arms shall be repaired except at arsenals or establishments licensed by the local Government for this purpose. No such licence shall be granted without guarantees for the observance of the rules of the present Convention.

Article 13.

Within the prohibited zones specified in Article 9, a State which is compelled to utilise the territory of a contiguous State for the importation of arms, munitions or implements of war, whether complete or in parts, or of material or of articles intended for armament, shall be authorised on request to have them transported across the territory of such State.

It shall, however, when making any such request, furnish guarantees that the said articles are required for the needs of its own Government, and will at no time be sold, transferred or delivered for private use or used in any way contrary to the interests of the High Contracting Parties.

Any violation of these conditions shall be formally established in the following manner:—

- (a) If the importing State is a sovereign independent Power, the proof of the violation shall be advanced by one or more of the representatives accredited to it of contiguous States among the High Contracting Parties. After the representatives of the other contiguous States have, if necessary, been informed, a joint enquiry into the facts by all these representatives will be opened, and, if need be, the importing State will be called upon to furnish explanations. If the gravity of the case should so require, and if the explanations of the importing State are considered unsatisfactory, the representatives will jointly notify the importing State that all transit licences in its favour are suspended and that all future requests will be refused until it shall have furnished new and satisfactory guarantees.

The forms and conditions of the guarantees provided by the present Article shall be agreed upon previously by the representatives of the contiguous States among the High Contracting Parties.

These representatives shall communicate to each other, as and when issued, the transit licences granted by the competent authorities.

- (b) If the importing State has been placed under the mandatory system established by the League of Nations, the proof of the violation shall be furnished by one of the High Contracting Parties or on its own initiative by the mandatory Power. The latter shall then notify or demand, as the case may be, the suspension and future refusal of all transit licences.

In cases where a violation has been duly proved, no further transit licence shall be granted to the offending State without the previous consent of the Council of the League of Nations.

If any proceedings on the part of the importing State or its disturbed condition should threaten the public order of one of the contiguous State signatories of the present Convention, the importation in transit of arms, munitions or implements of war, material and articles intended for armament shall be refused to the importing State by all the contiguous States until order has been restored.

CHAPTER V.—MARITIME SUPERVISION.

Article 14.

Subject to any contrary provisions in existing special agreements, or in future agreements, provided that in all cases such agreements otherwise comply with the provisions of the present Convention, the sovereign State or mandatory Power shall carry out the supervision and police measures within territorial waters in the prohibited zones specified in Article 9.

Article 15.

Within the prohibited zones specified in Article 9, no native vessel of less than 500 tons (net tonnage) shall be allowed to ship, discharge or tranship arms, munitions or implements of war.

A ship shall be deemed to be native if she is either owned by a native, or fitted out, or commanded by a native, or if more than half of the crew are natives of the countries included in the prohibited zones specified in Article 9.

This provision does not apply to lighters or barges, nor to vessels which are engaged exclusively in the coasting trade between different ports of the same State, Colony, Protectorate or territory under mandate, where warehouses are situated.

All cargoes of arms, munitions or implements of war shipped on the vessels specified in the preceding paragraph must obtain a special licence from the territorial authority, and all arms, munitions and implements of war so shipped shall be subject to the provisions of the present Convention.

This licence shall contain all details necessary to establish the nature and quantity of the items

of the shipment, the vessel on which the shipment is to be loaded, the name of the ultimate consignee and the ports of loading and discharge. It shall also be specified thereon that the licence has been issued in conformity with the regulations of the present Convention.

The provisions of this Article do not apply:—

- (a) To arms, munitions and implements of war conveyed on behalf of a Government either under that Government's authorisation or accompanied by a duly qualified official.
- (b) To arms and munitions in the possession of persons provided with a licence to carry arms, provided such arms are for the personal use of the bearer and are accurately described on his licence.

Article 16.

To prevent all illicit conveyance of arms, munitions and implements of war within the prohibited zones defined in Article 9, native vessels of less than 500 tons (net tonnage):—

- (a) if not exclusively engaged in the coasting trade between different ports of the same State, Colony, Protectorate or territory under mandate, or
- (b) if not engaged in carrying on behalf of a Government as permitted by Article 15, para. (a), and proceeding to or from any point within the said zones,

must carry a manifest of their cargo or similar document specifying the quantities and nature of the goods on board, their origin and destination.

The provisions as to the above-mentioned document shall not apply to vessels only partially decked having a maximum crew of 10 men and exclusively employed in fishing within territorial waters.

Article 17.

Authority to fly the flag of one of the High Contracting Parties, within the prohibited zones defined in Article 9, shall not be granted to native vessels of under 500 tons (net tonnage) as defined in Article 15 unless they satisfy all the three following conditions:—

- (1) The owners must be nationals of the Power whose flag they claim to fly or a company duly registered under the laws of that Power;
- (2) They must furnish proof that they possess real estate in the district of the authority to which their application is addressed or must supply a solvent security as a guarantee for any fines to which they may become liable;
- (3) Such owners, as well as the captain of the vessel, must furnish proof that they enjoy a good reputation, and especially that they have never been convicted of illicit conveyance of the articles referred to in the present Convention.

The authorisation must be renewed every year. It shall contain the indications necessary to identify the vessel, the name, tonnage, type of

rigging, principal dimensions, registered number and signal letters. It shall bear the date on which it was granted and the status of the official who granted it.

The initial letters of the port of registration of the native vessel followed by the vessel's registration number in the serial port numbers must be incised and painted in white on black ground on both quarters of each vessel.

The same marks may be painted in black on the sails.

The net tonnage of the native vessel shall also, if practicable, be incised and painted in a conspicuous position inside the hull.

Article 18.

The High Contracting Parties agree to apply the following rules in the maritime zone specified in Article 9:—

(1) When a warship belonging to one of the High Contracting Parties encounters outside territorial waters a supposed native vessel of less than 500 tons burden (net tonnage)—

- (a) flying the flag of one of the High Contracting Parties;
- (b) flying the flag of a recognised nation;
- (c) flying no flag;

and the commander of the warship has good reason to believe that the supposed native vessel—

- (d) is flying a flag without being entitled to do so;
- (e) is not lawfully entitled to fly the flag of any recognised nation;
- (f) is illicitly conveying arms, munitions or implements of war:

he may proceed, subject to the conditions indicated in the paragraphs below, to verify the nationality of the vessel by examining the document authorising the flying of the flag, if this document exist, and also the manifest referred to in Article 16.

Any vessel which presents the appearance of a native build or rig may be presumed to be a native vessel.

(2) With this object, a boat commanded by a commissioned officer in uniform may be sent to visit the suspected vessel, after she has been hailed to give notice of such intention. The officer sent on board the vessel shall act with all possible consideration and moderation. Before leaving the vessel, the officer shall draw up a *procès-verbal* in the form and language in use in his own country. This *procès-verbal* shall state the facts of the case and shall be dated and signed by the officer.

Should there be on board the warship no commissioned officer other than the commanding officer, the above-prescribed operations may be carried out by the warrant, petty or non-commissioned officer at the discretion of the commanding officer.

The captain or master of the vessel visited, as well as the witnesses, shall be invited to sign the *procès-verbal*, and shall have the right to add to it any explanations which they may consider expedient.

(3) In the cases referred to in paras. 1 (a) and 1 (b) of this article, unless the right to fly the flag can be established, the vessel shall be conducted to the nearest port in the zone where there is a competent authority of the Power whose flag has been flown and shall be handed over to such authority.

Should the nearest competent authority representing the Power whose flag the vessel has flown be at some port at such a distance from the point of arrest that the warship would have to leave her station or patrol, to escort the detained vessel to that port, the foregoing regulation need not be carried out. In such a case, the vessel may be taken to the nearest port where there is a competent authority of one of the High Contracting Parties of nationality other than that of the warship, and handed over to such authority, and steps shall at once be taken to notify the detention to the competent authority representing the Power concerned.

No proceedings shall be taken against the vessel or her crew until the arrival of the representative of the Power whose flag the vessel was flying or without authority from him.

The suspected vessel may also be handed over to a warship of the nation whose flag she had flown if the latter consents to take charge of her.

(4) The procedure laid down in para. 3 may be followed if, after the verification of the flag and in spite of the manifest being in order, the commander of the warship continues to suspect the native vessel of engaging in illicit conveyance of arms, munitions or implements of war.

(5) In the cases referred to in para. 1 (c) of this Article, if it is ascertained, as a result of the visit made on board the native vessel, that whereas it flew no flag, it was also not entitled to fly the flag of a recognised State, the native vessel shall, unless the innocent nature of her cargo can be established to the satisfaction of the commanding officer of the warship, be conducted to the nearest point in the zone where there is a competent authority of the Power to which the warship which effected the capture belonged, and shall be handed over to such authority.

If it should be established that the vessel was engaged in the illicit conveyance of arms, munitions and implements of war, the vessel and all cargo carried in addition to the arms, munitions and implements of war shall be seized by such authority and disposed of according to its own law—the destruction of the illicit cargo of arms, munitions and implements of war may be ordered according to the same laws.

Article 19.

The authority before whom the suspected vessel has been brought shall institute a full enquiry in accordance with the laws of his country in the presence of an officer of the detaining warship.

If, however, owing to the duties upon which the warship is engaged, it is not practicable for an officer of this warship to attend this enquiry, an affidavit sworn by the commanding officer of the warship shall be accepted by the authority holding the enquiry in place of the verbal evidence of an officer of the warship.

If it is proved at this enquiry that the flag has been illegally flown, but that the vessel is entitled to fly the flag of a recognised State, she shall, if that State is one of the High Contracting Parties, be handed over to the nearest authority of that State and in all other cases shall be disposed of by agreement between the State responsible for her detention and the State whose flag she is entitled to fly, and, pending such agreement, shall remain in the custody of the authorities of the nationality of the detaining warship.

If it should be established that the use of the flag by the detained vessel was correct, but that the vessel was engaged in the illicit conveyance of arms, munitions and implements of war, those responsible shall be brought before the courts of the State under whose flag the vessel sailed. The vessel herself and her cargo shall remain in charge of the authority directing the enquiry. The illicit cargo of arms, munitions or implements of war may be destroyed in accordance with the laws and regulations drawn up for the purpose.

Article 20.

The High Contracting Parties agree to communicate to the Central International Office specimen forms of the documents mentioned in Articles 15, 16, 17.

Article 21.

Any illicit conveyance or attempted conveyance legally established against the captain or owner of a vessel authorised to fly the flag of one of the signatory Powers, or holding the licence provided for in Article 15, shall entail the immediate withdrawal of the said authorisation or licence.

The High Contracting Parties will take the necessary measures to ensure that their territorial authorities or their consuls shall send to the Central International Office certified copies of all authorisations granted under this Convention to fly their flag as soon as such authorisation shall have been granted, as well as notice of withdrawal of any such authorisation. They also undertake to communicate to the said office copies of the licences provided for under Article 15.

Article 22.

The commanding officer of a warship who may have detained a vessel flying a foreign flag shall in all cases make a report thereon to his Government, stating the grounds on which he acted.

An extract from this report, together with a copy of the *procès-verbal*, drawn up by the officer, warrant officer, petty or non-commissioned officer sent on board the vessel detained shall be sent as soon as possible to the Central International Office and at the same time to the Government whose flag the detained vessel was flying.

Article 23.

If the authority entrusted with the enquiry decides that the detention and diversion of the vessel or the measures imposed upon her were

irregular, he shall fix the amount of the compensation due. If the capturing officer, or the authorities to whom he is subject, do not accept the decision or contest the amount of the compensation awarded, the dispute shall be submitted to a court of arbitration consisting of one arbitrator appointed by the Government whose flag the vessel was flying, one appointed by the Government of the capturing officer, and an umpire chosen by the two arbitrators thus appointed. The two arbitrators shall be chosen, as far as possible, from among the diplomatic, consular or judicial officers of the High Contracting Parties. These appointments must be made with the least possible delay, and natives in the pay of the High Contracting Parties shall in no case be appointed. Any compensation awarded shall be paid to the person concerned within six months at most from the date of the award.

The decision shall be communicated to the Central International Office.

CHAPTER VI.—GENERAL PROVISIONS.

Article 24.

The High Contracting Parties who exercise authority over territories within the prohibited zones specified in Article 9 agree to take, so far as each may be concerned, the measures required for the enforcement of the present Convention, and in particular for the prosecution and repression of offences against the provisions contained therein and to appoint the necessary territorial and consular officers or special representatives competent for this purpose.

They shall communicate these measures to the Central International Office and shall inform them of the competent authorities referred to in the preceding Article.

Article 25.

In time of war, Articles 2, 3, 4, 5 and 6 shall be considered as suspended from operation until the restoration of peace so far as concerns any export and transit of arms, munitions or implements of war to or on behalf of any of the belligerents recognised as such by the exporting country and the countries of transit, provided such recognition has been previously communicated to the other High Contracting Parties.

Article 26.

Any Government may, on signing or adhering to the present Convention, declare that it accepts its provisions partially or conditionally, provided that the High Contracting Parties consent and that it does not thereby affect the effectiveness of the supervision of the trade in arms, munitions and implements of war.

Nevertheless, the Convention shall only apply to Powers availing themselves of the option provided in the previous paragraph if within the period of one year from the notification by the French Government of the deposit of their ratification (or adherence), partial or conditional, no opposition to such ratification (or adherence) has been raised by any of the Contracting Parties.

Article 27.

All the provisions of former general International Conventions relating to the matters dealt with in the present Convention, including the Convention for the Control of the Trade in Arms and Ammunition and the Protocol signed at Saint Germain-en-Laye 10th September 1919, shall be considered as abrogated in so far as they are binding between the Powers which are Parties to the present Convention.

The present Convention shall in no way affect the rights and obligations which may arise out of the provisions either of the Covenant of the League of Nations or of the Treaties of Peace signed in 1919 and 1920 at Versailles, Neuilly, Saint Germain and Trianon or of the Treaty limiting Naval Armaments signed at Washington on 6th February 1922, and the provisions of Agreements registered with the League of Nations and published by the League up to the date of the coming into force of the present Convention, so far as the Powers which are signatories of or benefit by the said Treaties or Agreements are concerned.

Article 28.

The Council of the League of Nations shall cause to be published an annual report on the operation of the present Convention.

This report shall be presented to the Assembly of the League of Nations.

Article 29.

The present Convention, of which the French and English texts shall both be authentic, is subject to ratification. It shall bear to-day's date and shall be open for signature by the Powers until [date].

Each Power shall address its ratification to the French Government which shall at once notify the deposit of ratification to each of the other signatory Powers.

The instruments of ratification shall then remain deposited in the archives of the French Government.

Article 30.

The High Contracting Parties will use their best endeavours to secure the accession to the present Convention of the other States, whether Members of the League or not. On and after [date] the present Convention may be acceded to by any Power. Accession shall be effected by an instrument communicated to the French Government, which shall at once notify such deposit to all Powers which are signatories of or accede to the Convention.

The instruments of accession shall remain deposited in the archives of the French Government.

Article 31.

Disputes between the Parties relating to the interpretation or application of this Convention shall, if they cannot be settled by direct negotiation, be referred for decision to the Permanent Court of International Justice. In case either or both of the parties to such a dispute should

not be parties to the Protocol of Signature of the Permanent Court of International Justice, the dispute shall be referred, at the choice of the Parties, either to the Permanent Court of International Justice or to a court of arbitration.

Article 32.

The present Convention will not come into force until it has been ratified by 12 Powers, among whom shall be the following: Belgium, the United States of America, France, Great Britain, Italy, Japan and Russia

The date of its coming into force shall be the day after the receipt by the French Government of the 12th ratification. Thereafter, the present Convention will take effect in the case of each Party days after the receipt of its ratification or accession.

Article 33.

The present Convention may be denounced by any Party thereto after the expiration of 10 years from the date when it came into force in respect of that Party. Denunciation shall be effected by notification in writing addressed to the French Government, which shall forthwith transmit copies of such notification to the other Parties, informing them of the date on which it was received.

A denunciation shall take effect two years after the date on which the notification thereof was received by the French Government, and shall operate only in respect of the notifying State.

Article 34.

The High Contracting Parties agree that, at the conclusion of a period of five years, the present Convention shall, in the light of the experience then gained, be subject to revision upon the request of a third of the said High Contracting Parties.

ANNEX III.—*Report to the Assembly by the Supervisory Commission on Regulations of the Staff Provident Fund.*

By its resolution of 28th September 1923, the Assembly approved the recommendations made by the Supervisory Commission for the establishment of a Provident Fund for the officials of the League, and instructed the Commission to draw up the final detailed regulations of the scheme. It decided that the scheme should be put into operation as from 1st January 1924. The liabilities to be imposed on the budget were expressly limited to 5 per cent. of the total salaries of the officials affected. The sums necessary for the payment of the League's contributions in that year were voted in the 1924 budget.

In discharge of the mission entrusted to it by the Assembly, the Supervisory Commission has devoted several meetings to determining the details of the scheme. It has drawn up the annexed Regulations, which it now submits to the Assembly, and has requested the competent officials to give effect thereto. Contributions by officials and by the League became payable on 1st January last, and were made subject to such adjustments as might be necessary when the

Regulations assumed their final form. The resulting funds were placed on deposit at interest by the Secretary-General pending the complete establishment of the appropriate machinery for management and investment. The scheme has accordingly been put into operation in accordance with the wishes of the Assembly as from the date fixed by the latter.

In preparing the annexed Regulations, the Supervisory Commission has had continued assistance from the experts who advised it when it formulated the proposals made to the last Assembly, Commendatore Toja and Sir Alfred Watson, or its deputy Mr. Henry. The Commission desire to express its sense of the debt which the League owes to these gentlemen for their ungrudging help. For the form which the Regulations have finally assumed, the Commission is, of course, alone responsible.

The scheme which the Assembly has approved, as best adapted to the somewhat peculiar circumstances of the case, is one for the accumulation on behalf of the participating officials of sums obtained by monthly deductions of 5 per cent. from their salaries and the simultaneous contribution of equal amounts by the League. The money thus obtained will be administered and invested, independently of other League funds, by a Board of Management of seven members appointed by the Council, two of whom will represent the participating officials. The board will be assisted in its financial tasks by the advice of an Investments Advisory Committee composed of three experts appointed by the Council. There is expressly imposed on the Board the duty of maintaining the solvency of the scheme, and protecting the League against any ultimate liability, by the taking of appropriate measures to constitute a reserve and deal with any fall in the market value of the invested securities. On leaving the service, the official will normally receive the sum to the credit of his account in the Fund, i.e., the contributions which he has made and the sums which the League has paid into his account, with such interest as it has been possible to credit to him. He will not, however, obtain full benefit from the League's contributions unless he has given at least seven years' service, and he will obtain no benefit from the League contributions until he has given three years' service. In certain other circumstances, as, for instance, in the case of dismissal for misconduct, he may (or will) fail to obtain any benefit from the League's contributions. The official is given power to apply his contributions to purposes of life insurance instead of leaving them in the Fund. A tribunal of arbitration is provided to settle disputes between participating officials and the Board of Management of the Fund. Finally, provision is made for necessary amendment of the Regulations by the Council of the League.

The above description explains the operation of the scheme in the case of an official leaving after a normal period of service. In its recommendations to the last Assembly, the Commission proposed that the case of an official dying in the service, or invalided out of the service, before an adequate sum had been accumulated on his behalf in the Provident Fund, should be dealt with by the constitution of a special "Death and Invalidity Fund", formed by paying into it the sums which participating

officials who quit the service without satisfying all the requirements of the Regulations, will leave behind them in the Fund. After careful consideration, the Commission has come to the conclusion that the sums obtained in this way would not suffice to establish a system of obligatory payment of a substantial fixed benefit in case of premature death or retirement through invalidity. The Commission, however, considered the Assembly to have desired that some provision should be made for such cases and to have decided that the provision must be made with the resources which the Assembly had rendered available by its resolution of 28th September 1923. A Death and Invalidity Fund had accordingly been established as part of the Provident Fund, but it will not for the present pay fixed benefits in all cases. It will be used at the discretion of the Board of Management, to make suitable grants in cases which appear to deserve special consideration. In order that it may be adequate for this purpose, it is provided that 10 per cent. of the League's contributions to the Fund shall be paid into it instead of being credited to the accounts of the participating officials. While, therefore, the official will contribute 5 per cent. of his salary to his account in the Fund, the League's contribution to the account will be 4½ per cent. of the salary. Means are provided whereby, if the majority of the participating officials should desire and if such a course is found practicable, a system of fixed obligatory payments in cases of premature death or retirement through invalidity can be introduced into the Provident Fund scheme.

It remains for the Commission to call attention to a certain number of points on which the decisions embodied in the annexed Regulations are not expressly covered by the recommendations which the Assembly approved or by the words of the Assembly's resolution, and where, accordingly, the Commission has been obliged to form for itself and apply an interpretation of the Assembly's wishes, taking into consideration the general nature of the scheme to be established and the circumstances to which the scheme applies.

These points relate mainly to the inclusion or exclusion of certain classes of officials:—

1. The Assembly's resolution does not mention the officials of the Permanent Court, but the Commission felt no difficulty in deciding that this omission was accidental, and that the officials of the Court were intended to be covered by the scheme. The Commission had recommended to the last Assembly that the officials of all League organisations should be included, and the Assembly took no contrary decision, but voted the money necessary to permit the inclusion of the officials of the Court.

2. In accordance with a decision of the Second Assembly (Records, Plenary Meetings, page 601, section (c)), the Commission recommended to the Fourth Assembly the exclusion from the Provident Fund scheme of the Directors of the Secretariat. The Second Assembly's decision was based upon the comparatively high remuneration received by these officials. The Commission has decided to exclude also from the present scheme the Registrar of the Permanent Court. His case falls to be examined from another point of view in the report which the

Commission is making to the Council upon the question of pensions for the personnel of the Court. It has also excluded the Chiefs of Division of the International Labour Office, in regard to whom no express decision had previously been taken. The Commission felt that the grounds for excluding Directors of the Secretariat applied also to the International Labour Office Chiefs of Division, since the latter perform parallel functions to the former, and since the inferiority in the salary scale of the latter as compared with the scale for Directors (38,500 Swiss francs, rising by 2,000 to 47,000 as compared with 41,000 Swiss francs, rising by 2,500 to 53,000 Swiss francs) is compensated by the fact that they hold long-term appointments, whereas the Directors are appointed for seven years. In the absence of any contrary decision, the International Labour Office had, since 1st January last, caused contributions to be made to the Provident Fund by and on behalf of its Chiefs of Division. The Commission has agreed provisionally to the continuance of this practice in order that, if the present Assembly should decide to include the officials in question under the Provident Fund, the resulting change in the Regulations may be effected without raising financial difficulties. Should the Assembly not take a decision in this latter sense these contributions will be refunded.

8. The recommendations which the last Assembly approved made the Provident Fund scheme applicable to all permanent officials and defined permanent officials as meaning officials serving under a contract for seven years or longer. In fact, only the international staff of the League is recruited for fixed terms of years. The locally recruited staff, under the decisions of the Second Assembly, have to be recruited in accordance with the local conditions, and the system adopted is to engage them subject to the age limit, good conduct and the condition that their services continue to be required, without fixing any term of engagement. The persons so engaged are, however, an essential part of the permanent staff of the League, although it may be contended that they do not strictly fall within the terms of the above definition of a permanent official. The Commission has therefore decided that the locally recruited officials who form part of the regular staff of the League, should be included under the Provident Fund scheme on the same terms as the permanent international officials; and in dealing with the salaries of such officials, in execution of a decision of the last Assembly, it has taken into account the benefits which they may expect from the Provident Fund. In adopting this decision, the Commission hopes that it has given effect to the intention of the Assembly. It may be added that the establishment of a Provident Fund for locally recruited staff is in accordance with the Second Assembly's decision to engage such staff "in accordance with the normal conditions of Swiss administrative services", since such conditions normally include the provision of a pension.

There will, of course, be a certain number of locally recruited officials who receive contracts which are temporary in character, and these will not come under the Provident Fund scheme.

4. The Commission's recommendations, as approved by the last Assembly, contemplated the exclusion from the Provident Fund of what was

described as "seconded officials". The Commission maintains this recommendation in the sense that it sees no reason to bring under the Provident Fund a civil servant who is lent to the League on a strictly temporary basis; but it has not felt justified in excluding persons, who have accepted permanent service with the League, simply because they have retained a connection with a national civil service which, in degrees varying greatly with particular cases, may entitle them to participate in the benefit of some national pensions scheme. The annexed Regulations accordingly make the participation of an international official in the scheme depend entirely upon whether he is a permanent official, i.e., upon whether he has a contract for not less than seven years. The question whether he is at the same time connected with a national civil service and a beneficiary in that capacity under some national scheme, is regarded as irrelevant from the point of view of his participation in the League's scheme. Any adjustments which the Government concerned may demand are left to be made between the official and the Government. Finally, the contributions which such an official may have to make to a national pensions scheme, and which represent systematic saving on his part, are assimilated to the premiums payable on a life insurance policy which he holds and may, to the same extent, be paid out of his contributions to the Provident Fund. On this point also the Commission, after very serious consideration, and subject to the Assembly not disapproving its decision, has felt it right to interpret broadly the decisions of the last Assembly.

5. It was represented to the Commission by the Secretariat and the International Labour Office that the restriction of the scheme in the case of international officials to persons holding contracts for not less than seven years certain, was open to various objections, as, for example, that it would produce unjust results in cases where an official originally received a shorter contract but ultimately was put on a strictly permanent footing, or through a series of short contracts accomplished a long period of service with the League, and also that the rule would tend to encourage the giving of contracts for seven years where it would be more prudent to give shorter contracts. The Commission considered it its duty to apply the seven years' rule, which is laid down expressly in the recommendations approved by the Assembly, pointing out that it is open for the administrations concerned to initiate an amendment of the scheme in the sense which they propose. Such an amendment would require the approval of the Assembly, as it would increase the liabilities of the League by increasing the number of officials affected by the Provident Fund scheme.

Finally, the Commission desires to call the Assembly's attention to its decision as to the currency in which the accounts of the Provident Fund are to be kept, and its liabilities established, in order that there may be no doubt as to the effect of this decision or as to its conformity with the intentions of the Assembly. The difficulty arises from the fact that the staff of the Permanent Court is remunerated in Dutch florins and that there are a limited, but possibly increasing, number of League officials affected by the Fund whose salaries are payable in currencies other than the Swiss franc. As the contributions

made to the Fund are calculated as percentages of the salaries actually payable, the Fund will receive contributions, not in Swiss francs only, but also in other currencies whose value, as compared with the Swiss franc, may fluctuate considerably both from time to time and also over the total period during which a particular official contributes to the Fund. The question therefore arose as to whether the Fund was to pay the official, on his leaving the service, the contributions made by him and on his behalf and the interest thereon in the currency in which such contributions were received by the Fund, or whether it should conduct all its operations and express all its liabilities in Swiss francs. The majority of the Commission were of the opinion that the former course, whatever method was adopted to carry it out raised insurmountable difficulties in connection with the distribution of each year's net income among the accounts of the Fund, with the investment of the Fund's assets and with the maintenance of its solvency. It felt that the accounts of the Fund must be kept, and its liabilities be established, in a single currency and that this currency must naturally be the Swiss franc. All the participating officials will, under this decision, be obliged to make a compulsory investment in Swiss francs and to bear the risk and take the chances of profit which might result therefrom.

ANNEX.—REGULATIONS OF THE STAFF PROVIDENT FUND.

PART A.—CONSTITUTION AND OBJECT OF THE FUND.

Article 1.—There shall be established, in accordance with the present Regulations, as from 1st January 1924, a Provident Fund for the benefit of the staff of the various organisations of the League of Nations.

The Fund shall be the property of the League of Nations. It shall not be applicable to meet liabilities other than those provided for in the present regulations.

The Fund shall be administered on behalf of the League by a Board of Management assisted by an Investments Advisory Committee, in the manner provided for in the present regulations, and separate accounts shall be kept.

The League guarantees the payment of all sums falling due under the present regulations.

Article 2.—Whatever the organisation of the League to which they belong, all permanent officials, other than those coming within the provisions of the next following paragraph, shall contribute to the Fund.

Officials receiving salaries equal to or above the scale assigned to Directors of Section as regards the Secretariat, to Chiefs of Division as regards the International Labour Office, and to the Registrar of the Permanent Court of International Justice, shall not contribute to or participate in the benefits of the Fund.

Contributing officials who, being members of a civil service, are, in order to retain their pension rights, making payments to a pensions or provident fund or to their department, may charge the payments so made to their accounts in the Fund, subject to the conditions approved by the Board of Management and to the extent which

would be allowable under Article 8 if such payments were premiums payable on a policy of insurance.

For the purposes of this article:—

(1) The term "official" means an employee whose salary is borne on the budget of the League and who is classed as an official under the regulations of the organisation in which he serves.

(2) The term "permanent official" means an official holding either (a) an international engagement for a fixed period, provided that the period is not less than seven years, or (b) an engagement for an indeterminate period as a locally recruited official unless the engagement is expressed or shown by its terms to be of a temporary character.

Any question as to the participation in the Fund of a particular employee shall be decided in accordance with the terms of this article by the authority or official responsible for his engagement.

Article 3.—The contribution of each contributing official, hereinafter referred to as a member, shall be a sum equal to 5 per cent. of his salary, payable monthly by deduction from his salary, and an equal amount shall be contributed monthly by the League in respect of the member.

Article 4.—Subject to the provisions of Article 18 relating to deductions to be made for the Death and Invalidity Fund, the contributions paid by and in respect of a member shall be carried monthly to a separate account, in the name of the member, in the books of the Fund.

The accounts provided for in this article shall be kept in Swiss francs.

Article 5.—Interest shall be credited to each member's account, at a rate determined in accordance with these regulations, on 1st January in each year, and shall be calculated on the average of the balances standing to the credit of the account at the end of each month of the preceding year.

Interest shall also be credited, in the manner provided in this article, to the account of the Death and Invalidity Fund established under Article 18.

Article 6.—On the termination of a member's service, or at his death, the balance standing to the credit of his account, including interest up to the date of termination of service or death calculated at the rate of the last annual distribution of interest, and interest thereafter down to the date of tender of payment at the rate of 3 per cent., or such other rate as the Board of Management may fix, shall be paid to him or, if the member is dead, to the person entitled by law to receive such payment:

Provided that:—

(a) A probationary official who leaves owing to non-confirmation of his appointment shall be entitled only to that part of the balance to the credit of his account which represents his own contributions with interest thereon.

(b) A member who, before completing seven years' service, resigns or terminates his appointment by giving due notice, or is dismissed for

any other reason than abolition of post, reorganisation rendering his services unnecessary, age limit, or disability resulting from sickness or accident, shall be entitled only to that part of the balance to the credit of his account which represents his own contributions with interest thereon, together with the following fraction of that part of the balance to the credit of his account which represents the League's contributions with interest thereon, namely:—

If he has not completed three years' service—nil;

If he has completed three years' service— $\frac{1}{5}$;

If he has completed four years' service— $\frac{2}{5}$;

If he has completed five years' service— $\frac{3}{5}$;

If he has completed six years' service— $\frac{4}{5}$.

(c) Notwithstanding the preceding provisions, a member dismissed for misconduct shall have no right to that part of the balance to the credit of his account which represents the League's contributions with interest thereon, but, in an exceptional case and after a minimum of seven years' service, he may be allowed a payment not exceeding half the amount in question by a decision of the authority competent to effect the dismissal. For the purposes of the present article, a member, whose resignation is tendered and is refused on the ground that action is pending against him in view of dismissal for misconduct, shall not be deemed to have resigned.

(d) The provisions of the first paragraph of this article relating to allowance of interest apply to all payments to be made under (a), (b) or (c) above.

For the purpose of this article, service shall be calculated from the earliest date since which the person has been continuously employed on the staff of a League organisation.

A member's service shall be regarded as continuing so long as he continues to be included in the staff of a League organisation, notwithstanding, in particular, that it is performed under successive contracts of engagement or in more than one such organisation. In all cases of granting of leave without pay the principal official of his organisation shall decide whether the member's service is to be regarded, for the purposes of this article, as continuing during the period of absence.

On the promotion of a member to a post rendering him ineligible to continue to contribute to the Fund, he shall be paid the balance standing to the credit of his account, with interest as provided in the first paragraph of this article. He shall cease to be a member of the Fund, and his account shall be closed.

Article 7.—Any balance remaining to the credit of a member's account after giving effect to the provisions of the preceding article shall be transferred to the Death and Invalidity Fund established in execution of Article 18, and the member's account shall be closed.

Article 8.—Any member holding or effecting one or more policies of insurance upon his life may charge the premium to his account.

The charge to be made at any time shall be limited to the member's own part of the contributions paid into the account in the previous

twelve months, or in the period since the last premium was payable, if the latter is the shorter period.

Rules made by the Board of Management shall establish conditions governing the exercise by members of the power given by this article, and, more particularly, conditions as to assignment of policies, method of payment of premiums, giving of powers to act, production of receipts, etc.

Article 9.—Save as otherwise provided in the foregoing articles, no payment shall be made from a member's account while he remains in the service of the League.

Article 10.—The balance to the credit of a member's account may not, in whole or in part, be assigned or charged. This shall apply also to any insurance policy the premiums on which are charged to his account, save that such policies may be assigned to the League of Nations.

In the event of a member purporting to place a charge on or assign the balance to the credit of his account, or any part of this balance, or any policy, contrary to the terms of the preceding paragraph, he shall forfeit all claim to that part of his account which represents the League contributions with the interest thereon; but the Council, or such body as it may appoint, may, nevertheless, at its discretion, direct that an equal or any less sum shall be applied for the member's benefit in such manner as it may determine.

Article 11.—As soon as possible after 1st January in each year, each member shall receive a statement of his account for the past year, showing the opening balance, the deposits and withdrawals made during the year and the closing balance after the addition of interest in respect of the year. Members are required to satisfy themselves as to the correctness of these statements; and, unless errors in them are notified within three weeks from the date of their receipt, the Fund will not be responsible for any sums not included in the member's account.

Where, owing to a member's absence on a mission or for other approved reasons, the period fixed in the preceding paragraph is inadequate, it shall be extended so as to allow the member three weeks to examine the statement.

PART B.—ADMINISTRATION OF THE FUND.

Article 12.—The Fund shall be administered by a Board of Management composed of seven members appointed by the Council of the League of Nations.

Two of the seven members shall be persons proposed by the members of the Fund. The Secretary-General shall take, in agreement with the principal officials of the League organisations other than the Secretariat, the measures necessary to enable the members of the Fund effectively to exercise the right given them by this paragraph.

Of the two members first appointed to represent the members of the Fund, one, who shall be chosen by lot, shall hold office for one year and the other for two years. Thereafter each appointment of such a member shall be made for two years. Retiring members of this category shall be eligible for re-appointment if again proposed by the members of the Fund.

The persons first appointed to the other five places on the Board shall retire as follows:—One, chosen by lot, at the end of one year, two, chosen by lot, at the end of two years; and the remaining two at the end of three years. The subsequent appointments shall be made for three years. Retiring members of this category also shall be eligible for re-appointment.

Any vacancy caused by the death or resignation of a member before the end of his term of office shall be filled by appointing a member to hold office until the end of the term of office of the member deceased or resigning.

The Board shall elect from among its members a chairman and a vice-chairman, and draw up its rules of procedure.

The Board shall hold ordinary meetings at least once every six months and more frequently if it so decides; extraordinary meetings may be held whenever the chairman thinks it necessary.

Article 13.—The functions of the Board of Management shall be:—

- (a) To provide for keeping the accounts of the Fund;
- (b) To provide for the liquidation of individual accounts when necessary under these Regulations;
- (c) To provide, having regard to the advice of the Investments Advisory Committee, for the employment of the assets of the Fund;
- (d) To draw up the annual revenue account and balance-sheet of the Fund and to fix the annual rate of interest to be credited to the various accounts of the Fund having regard to the position at the end of the financial year in question, and to the advice of the Investments Advisory Committee;
- (e) To make rules for the application of the present Regulations;
- (f) To carry out all other functions belonging to it under the present Regulations.

The Board of Management may delegate to its chairman or one or more of its members the power to maintain liaison with the Investments Advisory Committee, and act upon its advice, and generally such powers to act in the name of the Board as may be judged desirable for the purpose of assuring the expeditious performance of urgent financial or administrative duties.

Article 14.—The Council of the League of Nations shall appoint an Investments Advisory Committee composed of three regular members and one substitute. The members and substitute shall be appointed for one year and shall be eligible for re-appointment. The position of member of the Board of Administration shall not be incompatible with that of member of the Committee contemplated in this article.

It shall be the duty of the Committee to advise the Board of Management as to the employment of the assets of the Fund, and, in particular, as to making of investments, changes of investments, liquidation of investments to meet liabilities of the Fund, and any other financial questions on which its advice may be sought.

Article 15.—The cost of material and of staff employed specifically in the service of the Fund shall be borne by the Fund.

The Board of Management shall be entitled to charge to the Fund the cost of professional assistance obtained by it for the purposes of the Fund.

Those members of the Board of Management and of the Investments Advisory Committee who are not officials of the League, and the president of the Arbitration Tribunal established by Article 19, shall be entitled to travelling expenses and subsistence allowance on the scale for the time being applicable to members of Commissions of the League. Members of these bodies who are officials of the League shall, when attending meetings thereof, be treated in the same manner as if they were attending a League commission in the ordinary course of their duty. The payments of travelling expenses and subsistence allowance contemplated in this paragraph shall be charged to the Fund.

Article 16.—The annual revenue account and balance-sheet drawn up by the Board of Management shall be submitted to the Council of the League of Nations at its March session.

Article 17.—The total income earned by the investments of the Fund during each year, after deducting expenses chargeable to the Fund and any amounts which the Board of Management may allocate to make good depreciation of securities or to create and augment a reserve fund, shall serve to determine the rate at which interest is to be credited to each account as provided in Article 5.

The Board of Management shall take all measures necessary to prevent the solvency of the Fund being impaired by depreciation of its investments, including the creation, as soon as possible, of a reserve fund. It shall have power to charge the whole or any part of any depreciation to the reserve or to the income from investments for the year. Further, for the purpose of giving effect to this article, it shall be within the power of the Board to spread any loss due to depreciation over two or more years.

In the event of a capital appreciation of the investments of the Fund, the Board of Management shall decide whether the whole appreciation should be allocated to the reserve or whether the position of the reserve is so satisfactory as to justify proposing to the Council of the League of Nations to distribute part of the appreciation among the accounts of the members.

PART C.—DEATH AND INVALIDITY FUND.

Article 18.—Balances of individual accounts retained by the Fund on the occasion of the resignation or dismissal of members under the terms of Articles 6 and 7 shall be transferred to an account entitled "the Death and Invalidity Fund," which shall constitute a separate account of the Provident Fund and be credited with interest as such.

In addition, 10 per cent. of the contributions paid by the League of Nations in respect of its officials under the terms of Article 3 shall be credited each month to the Death and Invalidity Fund.

The Death and Invalidity Fund shall be employed to furnish grants in cases of death or retirement or invalidity of members which appear deserving of special consideration.

Such grants, in amounts dependent upon the circumstances of the case, shall be awarded by the Board of Management. The decisions taken shall be without appeal.

The case of a member dying in consequence of a dangerous mission undertaken by him or

behalf of the League is not one to which the present article applies.

In order to permit the system of *ex gratia* grants above contemplated to be replaced ultimately by a system of indemnities payable obligatorily in the event of death or retirement through invalidity, it is hereby provided that, if the majority of the members of the Provident Fund so decide, the joint contributions provided for by Article 3 may be subjected to deduction of a percentage devoted to furnishing to the Death and Invalidity Fund all or part of the additional receipts necessary to operate such new system.

PART D.—GENERAL PROVISIONS.

Article 19.—Any dispute arising between a member or his legal representative after death and the Board of Management of the Fund shall be referred to an Arbitration Tribunal consisting of the President of the *Tribunal fédéral suisse* or a member of that court nominated by him (who shall act as president of the Arbitral Tribunal) together with a representative of the Board of Management and a representative of the members.

The representatives shall be appointed at the beginning of each year. There shall, at the same time, be appointed for each representative a first and second substitute to fill his place in the event of his being unable to sit, either as being personally interested in the dispute or for any other reason. The Secretary-General shall take, in agreement with the principal officials of League organisations other than the Secretariat, the measures necessary to enable the members to appoint their representative and his two substitutes.

There shall be no appeal from the decision of the Arbitration Tribunal.

Article 20.—Amendments in the present Regulations may be made* by the Council of the League of Nations. Amendments may be proposed, after mutual consultation, by the Board of Management and the principal officials of the League of Nations.

Provided always that, if the effect of the contemplated amendments is to increase the pecuniary liability of the League of Nations, they must first be submitted to and approved by the Assembly of the League.

ANNEX IV.—Memorandum by the Financial Director on the Financial Operations of the League and action thereon taken by the Fifth Assembly.

	Gold francs.
1. The approved budget for 1925 amounts to	22,658,128
which sum is divided as follows:—	
(a) Expenses of the Secretariat and special organisations (<i>see Note 1</i>)	18,359,324
(b) Expenses of the International Labour Office (<i>see Note 2</i>)	7,340,595
(c) Expenses of the Permanent Court of International Justice (<i>see Note 3</i>)	1,908,209
(d) Definite contributions towards the Working Capital Fund	50,000
Total budget for 1925, as above	22,658,128

* For amendment introduced on recommendation of Committee IV, *see* p. 1141.

	<i>Gold francs.</i>
2. Unit valuation for 1925, 22,658,128 divided by 932	24,311.31
2. Unit valuation for present year (1924), 23,933,625.70 divided by 932. Hence the unit for 1925 will be at least 617.48 less than that of 1924 (see Note 4).	24,926.79
4. Amount returnable out of 1923 surplus to States which should have fully paid up their contributions before 31st December 1924 (see Note 5)	1,635,274.41
5. Financial position of the League on 1st September 1924:—	
(a) Receipts from contributions between 1st January and 31st August 1924 (see Note 6)	24,136,942.81
(b) Sums receivable on 31st August 1924 (see Note 7)	13,583,524.24
6. Contributions in arrears—	
(a) As on 1st January 1924 Reduced by payments amounting to	12,729,958.05 8,019,576.90
(b) Amounts remaining unpaid on 1st September 1924	4,710,281.15
(c) Arrears remitted by resolutions of the Fifth Assembly	89,160.72
7. Sum received from the Argentine Republic towards the budgets of 1922 and 1923 and transferred to a special Working Capital Fund Account	1,756,872.40
8. Value (without depreciation) of the Hotel National and contents (see Note 8) approximately	6,165,000
9. Authorised expenditure for the new International Labour Office building (see Note 9)	3,000,000
10. Estimated cost of the proposed new Conference Hall	4,500,000
The sum of 250,000 gold francs was voted for preliminary expenses to be incurred in 1925, but will not be included in the above.	
11. The sum included in the budget of 1925 for the work of the Disarmament Section, including 500,000 gold francs for an International Disarmament Conference, is	1,226,795
12. The sums included in the 1925 budget for new work are as follows:—	
Temporary Commission on Slavery	15,000
Legal Aid to the Poor (see Note 10)	42,400
Jurists Committee for the development of International Law	29,550
Expert Committee on Amendments to the Covenant	15,000
For study of a scheme for mutual assistance in disaster (see Note 11)	30,000
Study of scheme to transfer Armenians to the Caucasus or elsewhere (see International Labour Office budget)	50,000
Total	181,950
13. Credit transferred to the budget of the International Labour Office for the care of Refugees—subject to the approval of the Governing Body	202,000

NOTES.

1. The expenses of the Secretariat and Special Organisation include:—

	<i>Gold francs.</i>
(a) Ordinary expenditure	12,217,334
(b) On capital account	1,142,000
Total	13,359,334

2. The expenses of the International Labour Organisation include:—

(a) Ordinary expenditure	7,037,595
(b) On capital account	180,000
(c) Special expenditure on refugees	253,000
Total	7,420,595
Deduct appropriations-in-aid	80,000
Net total	7,240,595

3. The expenses of the Permanent Court of International Justice include:—

(a) Ordinary expenditure	1,905,084
(b) On capital account	3,125
Total	1,908,209

4. The Fifth Assembly left to the 'Allocation Committee' the task of determining what modifications shall be made in the unitary ratings of members for 1925. By the inclusion of the Argentine Republic and the admission of San Domingo at least 36 units will be available for distribution. The Commission may decide to increase the total, now standing at 932. In case this divisor be increased, obviously the unit valuation given above as 24,311.31 gold francs will be further diminished.

5. The budget of 1924 contained provision for raising the sum of 1,635,274.23 gold francs to make good the impairment which the Working Capital Fund suffered in 1922. As the Fifth Assembly decided to restore this impairment by using a part of the surplus of 1923, it was decided to return to each State, that fully pays up its contribution for 1924, the proportion of its contribution which was originally called up to restore working capital. This means that a credit of approximately 7 per cent. of the contribution of 1924 will be credited to the members at the beginning of 1925.

6. Contributions received between 1st January and 31st August 1924 were made up as follows:—

	<i>Gold francs.</i>
(a) From arrears of contributions	8,019,576.90
(b) From payments on 1924 budget	14,860,492.51
(c) From the Argentine Republic in respect of 1922 and 1923	1,756,873.04
Total	24,136,942.81

7. The sums receivable as on 31st August 1924 are as follows:—

(a) From arrears of contributions	4,710,281.15
(b) From balance due in 1924	8,873,143.19
Total	13,583,524.24

8. Although, in point of fact, the Hotel National had been entirely paid for, authorisation for the final 1,000,000 gold francs appears in the budget of 1925.

9. The Fifth Assembly decided to devote the remainder of the surplus (after reimbursement of Temporary Working Capital, see Note 5), that is to say, the sum of 1,139,580.63 gold francs, towards the payment of the cost of construction of the International Labour Office building. The Sixth Assembly will decide how the remainder of the cost shall be met.

10. No expenditure will be made for legal aid to the poor unless and until the amount required, estimated at 42,400 gold francs, has been provided from private sources. This work will therefore cost the League nothing.

11. The estimated expenditure for the study of a scheme for mutual assistance in disaster will be reduced by 10,000 gold francs, which sum has been generously donated by the Italian Red Cross.

ANNEX V.—Table showing, under the main heads, Expenditure for 1923, Budget for 1924, Budget for 1925, as originally submitted to Committee IV., Budget for 1925, including alterations made by Committee IV., after further scrutiny by the Supervisory Commission, and as finally passed by the Assembly.

A.—Secretariat and Special Organisations.

PART I.—CURRENT EXPENDITURE.

CHAPTER.	Expenditure, 1923.	Budget, 1924.	Budget for 1925 as submitted by the Supervisory Commission to the Fourth Committee.	Budget for 1925 presented by Committee IV. and passed by the Assembly.
	Gold francs.	Gold francs.	Gold francs.	Gold francs.
I. Assembly and Council Sessions	487,198	532,560	524,500	774,500
II. General Services of Secretariat	5,409,489	6,125,591	6,181,489	6,196,861
III. Special Organisations of the League	3,170,751	4,483,358	4,244,280	5,245,973
• Refund of Expenses (Vilna Plebiscite)	447,455	...	...	...
IV. Loss on Exchange	-433,536	...	...	...

PART II.—CAPITAL EXPENDITURE.

V. Buildings, Permanent Equipment, &c.	1,145,259	1,157,000	1,142,000	1,142,000
------------------------------------------------	-----------	-----------	-----------	-----------

B.—International Labour Organisation and Permanent Court of International Justice.

International Labour Organisation:—				
Ordinary Expenditure	7,127,959	6,917,295	6,954,596	7,210,595
Capital Expenditure	147,873	115,000	165,000	120,000
Permanent Court of International Justice:—				
Ordinary Expenditure	1,553,898	1,918,002	1,884,254	1,905,084
• Capital Expenditure . . . . .	...	4,166	3,125	3,125
Working Capital Fund	500,000	2,077,774	50,000	50,000
Total	(¹)19,556,346	23,328,686	21,149,343	22,658,138

(¹) The total expenditure of all the Organisations of the League of Nations amounts, according to the audited accounts, to 2,082,878.13 gold francs. The difference between that sum and the total shown above is due to the facts—

(a) That no account has been taken, in the figures of expenditure incurred during 1923, of certain extraordinary appropriations in aid (sale of a refrigerating plant, for example);

(b) That in the accounts the expenditure of the International Labour Organisation and the Permanent Court of International Justice is shown as the net sum payable to those Organisations, whilst in the present statement it represents the actual expenditure of the Organisations converted (in the case of the Permanent Court) at the parity of the florin.

ANNEX VI.—Statement by M. Barboza Carneiro to the Fourth Committee, regarding the Draft Regulations for the granting of Retiring Pensions to ordinary Judges and to the Registrar of the Permanent Court of International Justice.

The last paragraph of Article 32 of the Statute of the Permanent Court of International Justice reads as follows:—

“The Assembly of the League of Nations shall lay down, on the proposal of the Council, a special regulation fixing the conditions under which retiring pensions may be given to the personnel of the Court.”

The Fourth Assembly, on 28th September 1923, decided that the staff of the Court, with the exception of the Registrar, should participate in the Provident Fund set up for officials of the League. The Council on 7th July 1924 instructed the Supervisory Commission to draw up a scheme of pensions for those members of the Court not entitled to participate in the League Provident Fund. The Supervisory Commission submitted a scheme to the Council—a very excellent scheme. The Fourth Committee instructed a sub-Committee to examine the details of this scheme, and on the report of the sub-Committee the Fourth Committee decided to modify certain passages in the Supervisory Commission's scheme. After thoroughly discussing and considering the problem, we are laying a scheme before you. We begin by saying that only the ordinary Judges and the Registrar shall come under this scheme, because, although the Deputy Judges are members of the Court, they have not, in our opinion, the necessary conditions to entitle them to a pension. On that point we are in agreement with the Supervisory Commission. The reason we are giving pensions to the ordinary Judges is that the ordinary Judges of the Court have given up any chance of pecuniary advantage or promotion elsewhere. That does not apply to the same extent to the Deputy Judges.

The Supervisory Committee left the Assembly to decide whether the Registrar should have a pension, and we decided that he should. The first Article lays down the conditions for obtaining a pension. In case of resignation, Judges shall not be entitled to a pension unless they have done five years' service, and in the case of the Registrar, seven years. The pension shall only be paid from the moment when the person entitled to it has reached the age of 65. There are two exceptions, the case of bad health and insufficient private means, four or five years in the case of a Judge and seven years in the case of the Registrar, and the other exception refers to the pension before the age of 65, which is to be given only when the person entitled to the pension shall be in bad health or without private means; and in both cases a special decision of the Court is necessary.

Article 2 fixes the maximum pension. The maximum is 15,000 Dutch florins for the Judges and 10,000 for the Registrar. The maximum pension shall only be given to a Judge if he has done 14 years' duty, and to the Registrar if he has done 16 years' duty. A Judge who has been President of the Court for one period shall obtain the maximum pension in 12 years.

If he has been President for two periods, that is to say, six years, he can get his maximum in 11 years; and if he has been President during nine years he is entitled to 15,000 florins pension, but only after the tenth year. So therefore, even for the Judge who has the greatest advantage it is necessary that he should be re-elected a member of the Court in order to obtain the maximum pension.

Article 3 determines how the pension is to be calculated. It is one-thirtieth of the annual salary in respect of each period of 32 months in the service of the Court, and in the case of the Registrar one-fortieth. Therefore, after nine years' service a Judge will have a minimum of 9,900 florins annual pension, and in the case of retirement after five years' service the pension shall not be less than 5,500 florins. And in the case of a person who is entitled to a pension and is re-elected he shall not retain the pension during the period of duty, but at the end of that time the amount of his pension shall be calculated on the basis of his total length of service.

Article 4 lays down the period at which the pension is to be paid. Article 5 says that the pension shall be included in the expenses of the Court within the meaning of Article 33 of the Statute.

Article 6, the last Article, lays down the conditions under which these regulations may be amended, to safeguard the rights of persons elected before the amendment.

Those are the conditions, and I ask you to accept them. You are completing the work of the 1923 Assembly, and you are honouring the promise made by the First Assembly. The Fourth Committee has it fully in mind that it has to see that the League of Nations' budget is not overloaded with expenses which are not justified. We consider that we give the Judges pensions which are in no way exaggerated, and we ask you to accept the proposal of your Budget Committee.

ANNEX VII.—Extract from the Report of the Advisory Committee on Traffic in Opium to the Council, dated 15th August 1924.

MEASURES SUGGESTED BY THE ADVISORY COMMITTEE AS A BASIS FOR THE DELIBERATIONS OF THE SECOND CONFERENCE, NOVEMBER 1924.

PART I.

1. That each country shall furnish an estimate of its annual import requirements for medical and scientific purposes, whether for domestic consumption, manufacture or commerce, of (a) raw opium; (b) coca leaves; (c) morphine, its salts, and preparations containing morphine; (d) heroin, its salts, and preparations containing heroin; (e) cocaine, its salts, and preparations containing cocaine.

2. Each Government undertakes to refuse to authorise the importation into its territory of any of the substances mentioned in Article 1 beyond the quantities specified in the estimates furnished by it in pursuance of Article 1. The foregoing provision shall not prevent the Government of a country, in which the use of opium

for smoking purposes is still temporarily permitted under Chapter 2 of the Hague Convention, from authorising the importation of raw opium, in conformity with the provisions of Chapter 2 of the Convention, until such time as the use of opium for smoking purposes shall have been definitely prohibited.

3. A permanent Central Board, composed of experts, shall be constituted by the Council of the League on the advice of the Opium Advisory Committee.

4. The Governments agree to send to the Central Board:—

- (a) Their estimates of their annual import requirements in pursuance of Article 1.
- (b) Within three months after the end of each quarter, statistics of their imports from each country and of their exports or re-exports to each country during that quarter, and, within three months after the end of each half-year, statistics of their manufactures during that half-year, and, if possible, the stocks in the hands of the wholesale dealers at the end of the half-year, of each of the substances mentioned in Article 1.
- (c) Within three months after the end of each year, the total quantity of each of the substances mentioned in Article 1, consumed as such in the country during the year.

The Central Board will communicate periodically to all Governments the position as regards the exports and re-exports to each country.

Should it appear that the imports of any of the substances mentioned in Article 1 already received in any country during the current year have exceeded the amounts specified in the estimate furnished by that country, the Central Board shall call the attention of the Governments specially to the fact. Each Government undertakes not to export any further consignment of the substance in question to the said country during the same year, unless a revised estimate of its requirements shall have been furnished by the country.

5. If any country furnishes no estimate of its requirements in pursuance of Article 1 or furnishes an estimate which appears to the Central Board to be greatly in excess of the reasonable requirements of the country and to be likely to be used in part for the illicit traffic, the Board shall fix the amounts of the reasonable requirements of that country after taking into account its population, climatic and hygienic conditions and all other factors which appear to the Board to be relevant, as well as any other special circumstances which the said country will be at liberty to submit to the Board. The Board shall notify the amount so fixed to all Governments. Each Government agrees not to allow the export to that country of amounts which, taken in conjunction with the exports from other countries, will exceed the amounts fixed by the Board.

6. If any Government of any country which has commercial relations, in the matter of the substances mentioned in Article 1, with a country for which an amount has been fixed by the Board in pursuance of Article 5 or Article 7, para. XIII, considers that it is undesirable to limit exports to the latter country to the amount so fixed, it shall have the right to demand that a special conference of all the countries which

have such relations with the said country shall be summoned to consider whether such limitation or any other measure should be put into force.

PART II.

7. The provisions of the Hague Convention of 1912 shall be amended as follows:—

(I) Article 2 shall be extended to apply to coca leaves.

(II) The following article (numbered 2bis) shall be added to the Convention:—

“Each Contracting Power shall require that a separate import licence must be obtained for each importation of raw opium or coca leaves. The licence may allow the importation of the amount for which the licence is given in one or more consignments within a period to be specified in the licence.”

(III) Article 3 shall be replaced by the following article:—

“Each Contracting Power shall require that a separate export licence must be obtained for each exportation of raw opium or coca leaves. The Contracting Power, before issuing such licence, shall require an import certificate, issued by the Government of the importing country and certifying that the importation is approved, to be produced by the person applying for the licence. The licence may allow the exportation of the amounts for which the licence is given in one or more consignments within a period to be specified in the licence. Unless a copy of the export licence accompanies the consignment, the Government issuing the export licence shall send a copy to the Government of the importing country. The Government of the importing country, when the importation has been effected, shall return the export licence with an endorsement to that effect to the Government of the exporting country.

“In the case of an application to export a consignment to any country for the purpose of being placed in a bonded warehouse in that country, the production of a special certificate from the Government of that country, certifying that it has approved the introduction of the consignment for the said purpose, may be admitted by the Government of the exporting country in place of the import certificate provided for above.”

(IV) Article 5 shall be omitted.

(V) The definition of cocaine in Chapter III shall be modified as follows:—“By cocaine is understood the principal alkaloid of the leaves of *erythroxyton coca* having the formula $C_{17}H_{21}NO_4$, whether extracted from the leaves of *erythroxyton coca* or produced by chemical synthesis.” (Ecgonine also to be included?)

(VI) In Article 10 the words “The Contracting Powers shall control” shall be substituted for “The Contracting Powers shall use their best endeavours to control or to cause to be controlled,” and the words “The Contracting Parties shall adopt” shall be substituted for “The Contracting Powers shall use their best endeavours to adopt or cause to be adopted.”

The words "or shall make to the competent authorities an official declaration that they are so engaged" shall be omitted.

The words "This rule shall not necessarily apply to medical prescriptions and to sales by duly authorised chemists" shall be omitted.

(VII) Article 12 shall be replaced by the following article:—

"Each Contracting Power shall require that a separate import licence must be obtained for each importation of any of the substances to which Chapter III applies. The licence may allow the importation of the amount for which the licence is given in one or more consignments within a period to be specified in the licence."

(VIII) Article 13 shall be replaced by the following article:—

"Each Contracting Power shall require that a separate export licence must be obtained for each exportation of any of the substances to which Chapter III applies. The Contracting Power, before issuing such licences, shall require an import certificate, issued by the Government of the importing country and certifying that the importation is approved, to be produced by the person applying for the licence.

"The licence may allow the exportation of the amount for which the licence is given in one or more consignments within a period to be specified in the licence.

"Unless a copy of the export licence accompanies the consignment, the Government issuing the export licence shall send a copy to the Government of the country of importation.

"The Government of the importing country, when the importation has been effected, shall return the export licence, with an endorsement to that effect, to the Government of the exporting country.

"In the case of an application to export a consignment to any country for the purpose of being placed in a bonded warehouse in that country, the production of a special certificate from the Government of that country, certifying that it has approved the introduction of the consignment for the said purpose, may be admitted by the Government of the exporting country in place of the import certificate provided for above."

(IX) For the purpose of ensuring the full application and enforcement of the provisions of the Hague Convention, as amended by this agreement, in free ports and free zones, the Governments undertake to apply in free ports and free zones situated within their territories the same laws and regulations, and to exercise the same supervision and control in respect of the substances covered by the Convention as amended by this agreement, as in other parts of their territories.

(X) In the case of a consignment of any of the substances covered by the Convention as amended by this agreement exported from one country to another country, which passes through the territory of a third country without being removed from the ship or conveyance in

which it is being conveyed, except for the purpose of being transferred to another conveyance under the supervision of the authorities of the country of transit, a declaration shall be made to the authorities of the country of transit of the contents of the consignment and the country for which it is destined. If no declaration is made or a false declaration is made, the consignment shall be liable to confiscation by the authorities of the country of transit and the person making such false declaration shall be guilty of an offence.

(XI) No transshipment of a consignment of any of the substances covered by the Convention as amended by this agreement shall be allowed unless the consignment is accompanied by an official copy of the export licence, issued by the authorities of the country of export, or by an official copy of the import certificate, issued by the authorities of the importing country. It shall be made illegal for anyone in the country of transshipment to divert, or attempt to divert, the consignment to any destination other than that named in the official copy of the export licence or import certificate above mentioned, without an export licence from the authorities of the country of transshipment.

(XII) A consignment of any of the substances covered by the Convention, as amended by this agreement, which is landed in any country and placed in a bonded warehouse, shall not be allowed by the Government of that country to be withdrawn from the bonded warehouse to be sent out to another country unless an import certificate, issued by the Government of the country of destination and certifying that the importation is approved, is produced to the authorities of the former country. A special certificate shall be issued by the Government in respect of each consignment so withdrawn, and shall take the place of the export licence for the purpose of the preceding provisions of this agreement.

(XIII) In the case of a country which is not a party to this agreement, the Governments undertake not to allow the export to such a country of any of the substances covered by the Convention as amended by this agreement except such amounts as may be fixed by the Central Board as being reasonably required for the medical and scientific needs of the country.

PART III.

The Conference makes the following recommendations:—

1. That each Government should forbid any person within its jurisdiction from procuring or assisting the commission, in any place outside its jurisdiction, of any offence against the laws in force in such place for controlling or regulating the manufacture, sale, use, export or import of any of the substances covered by the Convention as amended by this agreement, and that any person knowingly violating such prohibition shall be liable to punishment.

2. That each Government should forbid the conveyance in any ship sailing under its flag of any consignment of the substances covered by the Convention as amended by this agreement:—

(1) Unless an export licence has been issued in respect of such consignment in accordance with the provisions of the

Convention so amended and the consignment is accompanied by an official copy of such licence;

- (2) To any destination other than the destination mentioned in the licence.

ANNEX VIII.—Correspondence between the British and Turkish Governments regarding the frontier between Turkey and Iraq.

The following letters and notes are circulated to the Assembly at the request of the British and Turkish Governments respectively.

NOTE FROM THE TURKISH GOVERNMENT TO THE BRITISH GOVERNMENT.

In spite of all our diplomatic and conciliatory action for several months past, English aeroplanes—which have been continually raiding our frontiers again—crossed them on 9th, 12th and 14th September. Not content with these raids, carried out regardless of the possible consequences, they opened machine-gun fire and dropped bombs on our military contingents in the neighbourhood of the *status quo* frontier and on our own territory. According to information received up to the present, this action resulted in 3 killed and 12 wounded.

In order to show the seriousness of this matter and to prove that it is merely one phase in a definitely organised secret plan, we should like to give information on certain recent incidents.

At the Golden Horn Conference, the British delegation, contrary to the spirit and letter of the Treaty, proposed a frontier situated outside the Vilayet of Mosul, thus claiming an important portion of our Vilayet of Hakkiari.

After the Conference had broken down on this account, a change took place in the attitude of the Nestorians of that Vilayet. On 7th August 1924, at a place called Han-Guedik, situated to the south of Tchulemerik, the Vali of Hakkiari and the gendarmes accompanying him were attacked by Nestorian brigands, and a major and three gendarmes were killed and five others wounded.

The Vali, who was taken prisoner, managed to escape from the brigands with great difficulty. Since then the latter have increased their mischievous activities.

At the time of this incident, when the Vali was in the chief town of our Tchah district, a British official, Mrs. Lloyd, who without authorisation had come across from the English zone to see him, took up the singular attitude of criticising certain measures that the Turkish Government had adopted to the north of the *status quo* frontier.

At the time of the brigands' armed attack on the Vali and his gendarmes, English aeroplanes continually flew over the spot where the incident occurred.

The Turkish Government was compelled to employ repressive measures against the brigands, and, keeping to the north of the *status quo* frontier, massed the necessary forces of soldiers and gendarmes at Tchulemerik, Beit-el-Chebab and Harbul. In defiance of all international law, English aeroplanes regularly continued to fly over our territory. On our making a protest against these air raids, the Foreign Office claimed, in its reply of 21st August 1924,

No. 6899-5711-65, that the Birvari, Balu and Tchakallou posts had not moved further north.

The raids which followed this absolutely untrue statement were as follows:—

On 9th September 1924, at 8 A.M., two aeroplanes, proceeding from the direction of Zaho, followed the Hazil river, took a northerly course and then made off, turning towards the Guyan district. On the 12th of the same month, at 8-15 A.M., three aeroplanes, coming from the direction of Zaho, proceeded north, after flying around in the neighbourhood of the Hazil river. Another aeroplane, also coming from the direction of Zaho, made for the Guyan country across "Djumada."

On 14th September 1924, at 7-30 A.M., seven aeroplanes, proceeding from the direction of Zaho, flew over the country lying between the Hazil and Khapur streams. At 8 o'clock, three aeroplanes, also coming from Zaho, opened machine-gun fire on our military camp and dropped bombs. Two aeroplanes, apart from those already mentioned, crossed our frontier, flying as far as Chernak, which is 50 miles over the frontier, the first machine at 7 A.M., and the second at 5 P.M. There are indications that the English authorities tried to bribe certain people belonging to the detachments that were charged with the punishment of the brigands.

In a letter addressed on that occasion to our Caimacan of Djezré and signed by Fettah, Deputy Governor of Zaho, the following occurs:—

"We are informed that a regular force of the Turkish Government approached the frontier of Amadiéh and it was noticed that a small force crossed into the territory of the State of Iraq. If this state of affairs continues without any attempt being made to remedy it, the position will become serious. Inform the commander of the troops that his forces may expect resistance on the Iraq frontiers."

The object of this communication from the English authorities, who have for months continually been conducting air raids to the north of the *status quo* frontier and in Turkish territory, was undoubtedly to pave the way to the bombing and machine-gun attack of 14th September 1924.

I formally protest before the world and the League of Nations against the aggression committed on our territory on 14th September against Turkish soldiers, and I reserve the right to claim full indemnity for the killed and wounded, also for all material damage. I will forward in due course the actual claim for indemnity.

Another important point is the fact that the British Government, in disregarding the *status quo* frontier, is trying to bring about a *fait accompli* by taking common military action, thereby encouraging brigands on Turkish territory.

Article 8 of the Treaty of Lausanne provides for the maintenance of the *status quo* until the dispute regarding the Iraq frontier is settled.

Turkey, in spite of the numerous encroachments of the British Government, has respected

the *status quo* frontier, and yet has her territory violated at the very moment when the League of Nations is enquiring into the matter. In these circumstances, we must know if the British Government still recognises as valid the solution stipulated in the Treaty for the present dispute, i.e., if it recognises the *status quo* frontier?

So long as these essential points remain in doubt and reparation has not been made for the aggression of 14th September, we are compelled to conclude that the British Government, disregarding the peaceful tendencies in the world, is attempting to settle the dispute over the Iraq frontier by armed force and thus to create a *fait accompli*.

I should be pleased to receive as early as possible a reply to this note, which will be communicated to the Press after it has been handed to the British Government.

N.B.—In view of the fact that the above text has been cabled with numerous omissions, the Delegation reserves the right of making any necessary rectifications.

LETTER FROM LORD PARMOOR TO THE COUNCIL OF THE LEAGUE TRANSMITTING A NOTE FROM THE BRITISH GOVERNMENT.

Geneva, 25th September 1924.

I have the honour to communicate to you, by the desire of the British Government, a copy of a note which they have addressed to the Turkish Government on the subject of recent incidents on the Turco-Iraq frontier.

2. In desiring to take this step, the British Government are acting in accordance with the provisions of the second paragraph of Article 11 of the Covenant of the League of Nations, by which it is declared to be the friendly right of each Member of the League to bring to the Council any circumstance which threatens to disturb the good understanding between nations upon which peace depends.

3. I request that you will be so good as to bring the terms of the British Note to the notice of the Council with the least possible delay.

(Signed) PARMOOR.

Copy of Note presented to the Turkish Government.

His Majesty's Government have learnt with astonishment of a direct and flagrant contravention of the undertaking given by the Turkish Government in Article 3 (2) of the Treaty of Lausanne that, pending the decision to be reached on the subject of the Turco-Iraq frontier, no military or other movement should take place which might modify in any way the present state of the territories of which the final fate will depend upon that decision. A serious warning was conveyed to the Kaimakam of Julamerk by the High Commissioner for Iraq on 12th September. On 14th September a British air patrol discovered a small hostile force crossing the river Hazil north of Rabanki. The presence of further armed bodies was also reported near Bersiwi and Bahnunah on the tracks leading to Zakho. The British authorities, assuming that

these forces were composed of irresponsible tribal elements, and apprehensive that their action, if unchecked, would result in serious trouble amongst the border tribes, took the necessary steps to drive some of the invaders back across the frontier by machine-gun fire from the air, which caused some casualties.

A communication was made by the British Chargé d'Affaires to the delegate of the Turkish Ministry for Foreign Affairs at Constantinople on 17th September to the effect that a serious situation would arise if Turkish troops crossed the frontier in such numbers as to appear intentionally to infringe the *status quo*. The Turkish Government will appreciate the fact that Bersiwi and Bahnunah are well within the boundary, not only of the area administered by the British authorities on the date of the signature of the Treaty of Lausanne, but also within the old administrative boundary of the Mosul Vilayet. According to a report received by His Majesty's Government on 18th September, bodies left behind by the invaders show that Turkish regulars formed a part of the invading force. It was also reported that Turkish troops had proceeded to the eastward within the administrative frontier of Iraq and had attacked a police post and that in villages within the frontier. On 20th September, it was reported that Turkish troops had overpowered a detachment of Iraq police at Chagalle, on the Khabur, and were threatening other Iraq police posts in Barwari Bela, a few miles north-west of Amadia.

It was thus clear that Turkish regular forces were definitely invading the area administered by His Majesty's Government at the date of the signature of the Lausanne Treaty and were wilfully disregarding the *status quo*.

On 22nd September, the High Commissioner reported that detachments of the Iraq police and of local levies (an Imperial force under British officers, though our information does not show that British officers were actually present) had been forced back to Amadia. Their retirement was accompanied by the flight of a mass of Assyrian Christians and Iraq tribesmen, who are pouring into Amadia in large numbers.

His Majesty's Government protest in the most solemn and formal manner against the international and flagrant violation of a solemn undertaking given by the Turkish Government in an international instrument which has been duly ratified, brought into force and submitted to the League of Nations for registration.

His Majesty's Government regard the events recited above as a circumstance affecting international relations and threatening to disturb the good understanding of nations upon which peace depends. They are accordingly instructing the British representative on the League of Nations to communicate the foregoing protest to the Council and Assembly and to bring to their attention, as provided for by Article 11 of the Covenant, the present state of affairs on the Iraq frontier.

Meanwhile, the British authorities in Iraq have been authorised to take all necessary action to prevent the invasion or infiltration by Turkish forces of a nature to entail serious unrest and bloodshed.

LETTER TO THE SECRETARY-GENERAL FROM THE
REPRESENTATIVE OF THE TURKISH REPUBLIC
AND ACCOMPANYING NOTE.

Geneva, 26th September 1924.

With reference to my statements at yesterday's meeting of the Council, I have the honour to forward to you further information which I have received on the incidents occurring north of the *status quo* frontier—information which bears out my statements.

These incidents show that, since 14th September, British aeroplanes have constantly crossed the frontier.

The Government of the Turkish Republic has had to send a further Note to the British Government to protest against these raids.

I should be obliged if you would kindly forward this communication to the Members of the Council.

(Signed) A. FETHY.

On 17th September, about 5 P.M., British aeroplanes attacked the "Cheranice" district and caused the death of two Turkish soldiers. Two soldiers were wounded.

On the morning of 18th September, four British aeroplanes made an attack in the Tchelki district, in which two men were killed and four others wounded.

In another attack that took place on the evening of the same day, one soldier was wounded. The losses in material and cattle have not yet been ascertained.

On 20th September, three aeroplanes operating against Dechte-Maacek, on the Besbine-Cheranice road, 10 kilometres from the Mazil river, caused the death of one officer and six Turkish soldiers.

There were also 25 wounded—15 seriously.

On 22nd September, another attack was made on a convoy of camels belonging to private individuals. Two camel-drivers were wounded. Twenty of the camels were killed and 40 injured.

ANNEX IX.—*Report submitted to the Assembly by the Committee on the Allocation of Expenses.*

The task assigned to the Committee on the Allocation of Expenses by a resolution of the Assembly of 1923 was of a twofold nature: On the one hand, it was practical and precise, involving a power of decision; on the other, it was general, involving in the Committee a scientific enquiry into the possibilities of determining a permanent scheme of allocation.

The Committee met on the 22nd October 1923 to discharge its first duty: that of allocating among those Members of the League which find the present scale particularly burdensome the five surplus units that became available on the admission of the new Members in 1923.

The claims laid before the Committee, and the latter's decision thereon were duly embodied in a special report (C. 686 M. 276. 1923 II), and the present document is merely intended to

inform the Council and Assembly as to the stage now reached in the work of preparing a scale which will fulfil the specified requirements.

All who have followed the question will remember that, in order to determine the extent to which Members of the League could be expected to contribute to its expenses, the Committee proposed to take the budgetary expenditure of the different States for a certain year (choosing as recent a year as possible), and eliminating all abnormal expenditure so as to leave only those items which, generally speaking, constitute the "normal budget" (of A. 23. 1923. II).

The Secretariat, to whose zeal and ability the Committee desires once more to pay tribute, set to work on the lines thus laid down for it, and had the question fully in hand as early as October 1923, analysing the most recent budgets of the various countries in order to place the essential facts before the Committee.

The Committee held two meetings to examine the results so obtained, to investigate the problem further, and to give still more specific instructions to the Secretariat.

By March 1923, 21 budgets had been exhaustively analysed, and by the 1st July this number had been increased by a further 22.

As, however, this work is still incomplete, it would appear useless at the present juncture to bring before the Council and Assembly all the different questions which have arisen.

What the Committee is particularly anxious to point out is that it is unanimously prepared to withdraw most of the provisos which it thought it wise to lay down in its 1923 report. It is convinced, in the light of the experience now gained, that the method proposed, although not scientifically perfect, offers definite prospects of success.

At the same time, the Committee is equally desirous of drawing attention to the two principal difficulties which are at present rendering it powerless, and which not merely eliminate all possibility of reaching a solution by 1925, but threaten to postpone indefinitely the successful conclusion of the Committee's work.

The first of the Committee's difficulties is the less serious of the two because it can be removed if the Members of the League one and all take prompt action. As we have seen, the Secretariat has only been able to supply the Committee with particulars regarding the budgets of 43 countries, and, in point of fact, it found, as its investigations proceeded, that the sources from which it had to seek its information became more and more elusive. In the case of some 40 of the States considered, the official documents required were either several years out of date or in some cases were not available at all. Accordingly, the Secretariat was obliged to fall back upon unofficial publications, the accuracy of which may at any time be impugned by the Governments to which they refer. One of the very reasons which led the Committee to adopt the budgetary expenditure of the different States as a criterion was that its work would thus be based upon figures which are beyond dispute. This is impossible, however, if the budgets are not obtainable at first hand and are not sent in as rapidly as possible by the Governments themselves. The Committee therefore respectfully

but urgently begs the Assembly to pass a resolution calling upon the States Members of the League to transmit in future to the Economic and Financial Section of the Secretariat, their detailed budget estimates for 1923 (1923-24) and to continue to send in future the budgets for each financial year immediately they are published.

The second difficulty, which was referred to in the previous report, bears upon the question of the exchanges.

The budgets of countries with depreciated currencies, largely based on home prices, give, when converted into gold francs, an entirely erroneous idea of the financial position of the countries in question. All comparison is thus at once invalidated, and as, in addition, these exchanges are in addition liable to violent oscillations, the result would be that if the exchanges had not been stabilised and home prices for the principal commodities brought into line with world prices, the so-called permanent scale put before the Assembly, which would in any case necessarily be open to criticism, would vary every year to an incalculable extent.

Unexpected eventualities of this kind were certainly not what the Assembly had in mind.

Is there, then, any means of avoiding the effects of these exchange irregularities?

The Committee examined a large number of economic indices, but found no way out in this direction.

It was, however, greatly struck by the coincidence of its own experience with the conclusions of the "Dawes Report." The distinguished experts who had to study the fluctuations in the economic power of a single State experienced great difficulty in evolving indices at all representative of actual facts; what, then, would they have said had they been asked to work out constant indices by which it would be possible to follow and compare the movement of national wealth in States differing profoundly in the development of the civilisation, their climate, the nature of their wealth and so forth.

That is the unfortunate position to which the Committee has to draw attention, a position, however, which, to its great regret, it can do nothing to repair. In these circumstances, it might perhaps have been content to ask the indulgence of the Members of the League. It realises, however, that it is not merely an academic body working for posterity, but that it is principally concerned with the difficulties which confront the official representatives of the different Governments, and accordingly it has unanimously decided to make a second proposal.

It suggests that, if the Assembly and the Council still repose confidence in it and renew its mandate, the terms of that mandate should be so widened as to authorise it to make use of the budgetary documents which it is hoped will be sent in by the different Governments, together with all other information in its possession, in order to prepare a scheme to amend the provisional scale of allocation; the new scheme to be submitted to the Assembly in 1925 and to come into force in 1926. By such a plan, which would embrace all the States Members, it would be possible to remedy the most flagrant inequalities of the present scale, and to take a further

step towards establishing a permanent scale. There would then be no great difficulty in waiting for that happier time when, the economic balance of the world restored, it will once more be possible to work upon a sure foundation and to avoid the folly and danger of building upon sand.

ANNEX X.—*Memorandum of Indian Delegation on the Allocation of Expenditure of the League*

At the Fourth Assembly of the League of Nations, India expressly reserved her right to object to the renewal of the provisional scale of contributions to League expenditure if it were proposed to continue the present scale for the year 1925 without reduction of the number of units at which India was assessed for the year 1924. The Indian Delegation are instructed to claim a reduction of India's contribution from 60 to 50 units.

A claim for the reduction of India's contribution was presented orally and in writing to the sub-Committee on the Allocation of Expenditure set up by the Fourth Committee of the Fourth Session of the Assembly. In view of the decision of the Assembly at that session to entrust to M. Réveillaud's Committee the distribution of the five units which became available in 1924 by the accession of new States to the League, a further claim was presented before the Allocation Committee at its meeting held after the close of the Fourth Session. The arguments on which India's claim is based will, therefore, be familiar to most of the members of the sub-Committee on the Allocation of Expenditure which has now been convened, and it will therefore be sufficient to recapitulate these arguments here as briefly as possible:—

(1) India is the third (equal) contributor to the League's funds. Of all the Great Powers two only—Great Britain and France—pay contributions larger than India. India pays four units more than Japan or Italy; she pays 13 units only less than France, and 23 units only less than Great Britain. Her contribution is 25 units in excess of that of Spain, and 30 units higher than Brazil. These figures in themselves seem sufficient to demonstrate that India's contribution is unjustifiably high.

(2) The Réveillaud Committee enunciated the principle that "no system of allocation can be regarded as equitable which is based almost exclusively upon figures reflecting capacity to pay, and which does not take account of factors such as the benefits accruing to all Members." Considering the question broadly, it is obvious that, while the benefits which European countries derive from the League are not only remote and contingent, but also immediate and direct, the benefits which India obtains from the League's activities fall almost exclusively into the former category. If this question be examined in somewhat greater detail, it will be found that India is not represented on the Council of the League, although her contribution is 65 units as against 88, 78, 61, 61, 40, 35, 18, 15, 7, for the countries represented on the Council. India has no representative on the Permanent Court of International Justice, although the leading exponents of Hindu and Muhammadan law are Indian nationals. Both these systems of law govern the

civil and personal relations of well over a hundred million individuals each. As regards the Governing Body of the International Labour Office, India's claim to be recognised as one of the eight States of chief industrial importance was not accepted without great delay, and after much difficulty. In the year of India's admission as one of these States, three of the eight nations (exclusive of Germany) then represented were assessed to contributions of 61, 35, and 15 respectively, as against the 65 units payable by India for 1923. It is not without interest to point out that, in the world as it exists to-day, industrial importance is a fairly accurate index of taxable capacity.

Lastly, in considering this question of benefits received, it may be noted that India is represented by two of her nationals only on the combined staff of the Secretariat, the Labour Bureau, and the International Court of Justice. One nation paying 23 units more than India is represented by over 200 of her nationals; another paying 13 units more than India is represented by 145 of her nationals; a third paying 50 units less than India is represented by about 130 of her nationals. Comparisons of this nature could be extended almost indefinitely.

(3) The provisional scale at present in force was originally based on the principle that the two most important factors which should be taken into account were population and net revenue. This principle is inherently defective, inasmuch as the population factor enters into the net revenue of any State. The net revenue is, in fact, the average taxable capacity of the individual, multiplied by the population of the State. This fundamental error, under which double weight is attached to the population factor, though perhaps not of great importance in the case of European countries, vitiates the whole of the calculations in cases where, as in India, the population is enormous while the taxable capacity is low. Further, the pressure of a proportionate increase in taxation is relatively much greater in such countries than in a European country. The pre-war net revenues per head of the six countries, Members of the League, having the largest net revenue, and of Canada and Australia, are approximately as follows, in dollars:—France 23, United Kingdom 18, Australia 15, Italy 14, Canada 14, Japan 6, China 1, India 1.

(4) The statistics on which the present allocation system was originally based were those of the year 1913, an examination of the budgets of various countries suggests that their revenues have since risen to a considerably greater proportionate degree than the revenues of India. A reasonable assumption, therefore, is that in basing the present contribution upon the 1913 revenues India is relatively over assessed.

(5) The scale now in force was originally based upon the net revenue figures; but the figures actually employed in assessing the contribution were not figures of net revenue in the sense in which that term is understood in India. They do not include any deduction on account of interest on the capital invested in productive State undertakings. This question is of special importance to India, inasmuch as the circumstances in that country have, it is believed, resulted in the State owing in particular railway and irrigation properties to an extent unknown in the

majority of other countries. Detailed calculations show that, in place of the figure of £78·1 millions accepted by the Réveillaud Committee, the correct net revenue figure for the year 1913-14 in India is £64 millions only, or 311 in place of 380 million dollars. It is impossible to ascertain with precision to what extent other countries are affected by the omission to take account of this factor in the calculations on which the scale proposed by the Allocation Committee was fixed; but, for the reason already stated, it seems certain that the error affects India disadvantageously to a very much greater extent than any other country. A summary calculation suggests that India's percentage of the total corrected net revenue of the States Members of the League would be approximately 5·8, corresponding to a contribution of 54 units in place of the 65 units at which she is now assessed. It will be noted that this calculation proceeds solely upon a statistical basis, and takes no account of the other important circumstances mentioned in this memorandum.

(6) The original principle on which the Réveillaud scale was based has, however, been radically departed from in practice. Whereas this divergence from the original principle has not had the effect of reducing India's contribution, in the case of certain countries the number of units payable has been reduced materially in order to allow for the devastation suffered by them during the war. It is not suggested that these reductions are undesirable in themselves; but it may fairly be claimed that the same reasons which were considered as justifying them justify also reduction in cases where countries have had their real taxable capacity reduced, for other reasons, as a direct result of the war. The diminution of India's export trade for such reasons is a matter of common knowledge; India has, however, been granted no reduction to compensate for the effect which this reduction has had on her taxable capacity.

(7) India is relatively a poor country, as the statistics given above regarding her taxable capacity indicate. It has been necessary for her to make great sacrifices and great efforts in recent years in order to balance her budgets. This financial pressure has directed special attention to the leading items on the expenditure side of her budget, and questions have recently been raised in her Legislature as to the practical benefits which India derives from membership of the League, and as to whether these benefits are commensurate with the price paid for them. The facts summarised in this memorandum are well known in India, and have undoubtedly strongly influenced public opinion there. They have led to the firm conviction that her assessment has been fixed at a disproportionately high rate, and that without justification. Definite instructions have in consequence been given to the Indian Delegation to vote against the renewal of the provisional scale for the year 1925 unless the contribution of India is materially reduced. India considers that an assessment of 45 units (on the basis of the Postal Union scale) is equitable. She recognises, however, that that scale did not proceed upon a reasoned basis, and in view of the facts and arguments summarised in this memorandum, she considers that her claim to a reduction would be met, with a reasonable equity, if her present contribution of 65 units were reduced to 50.

(8) India does not appear before the League as a suppliant for relief from the burden of an excessive contribution on the ground that she is unable to obtain the necessary funds to meet that demand. India has invariably recognised and met all her international obligations, however great the sacrifices which this may have entailed. Her claim is based solely on the ground of equity, and she comes before the League confident that the justice of that claim will be recognised, and that the Committee will recommend to the Assembly the reduction which she has suggested.

ANNEX XI.—*Interpretative Statement made by Sir C. Hurst at the Plenary Meeting of the First Committee on 30th September 1924, regarding the relation between Article 11 and para. 8 of Article 15 of the Covenant.*

It is the understanding of the British Delegation that the text now adopted of the amendments which it is proposed to add to Article 5 safeguards the right of the Council to take such action as it may deem wise and effectual to safeguard the peace of nations in accordance with the existing provisions of Article 11 of the Covenant. It does not confer any new powers or functions on either the Council or the Assembly. Those powers are already defined in the Covenant as it exists to-day, and are not added to by this text.

A cursory inspection of the text of the Covenant may leave in some minds a doubt as to the relationship between para. 8 of Article 15

of the Covenant and the powers possessed by the Council and by the Assembly under Article 11. It is desirable that we should all be clear upon this point. Where a dispute is submitted to the Council under Article 15 and it is claimed by one party that the dispute arises out of a matter exclusively within its domestic jurisdiction, para. 8 prevents the Assembly from making any recommendations upon the subject if it holds that the contention raised by the party is correct and that the dispute does in fact arise out of a matter exclusively within that State's jurisdiction. The effect of this paragraph is that the Council cannot make any recommendation in the technical sense in which that term is used in Article 15, that is to say it cannot make even by unanimous report, recommendations, which become binding on the parties in virtue of para. 6.

Unanimity for the purpose of Article 15 implies a report concurred in by all the members of the Council other than the parties to the dispute. Given the measure of support indicated, the report is one which the parties to the dispute are bound to observe, in the sense that if they resort to war with any party which complies with the recommendations, it will constitute a breach of Article 16 of the Covenant and will set in play the sanctions which are there referred to.

On the other hand, Article 11 is of different scope; firstly, it operates only in time of war or threat of war; secondly, it confers no right on the Council or on the Assembly to impose any solution of a dispute without the consent of the parties. Action taken by the Council or the Assembly under this Article cannot become binding on the parties to the dispute in the sense in which recommendations under Article 15 become binding unless they have themselves concurred in it.

APPENDIX III.

ANNEX I.—Report of the First Committee on the proposals of the British Government for the amendment of Article 16 of the Covenant (Rapporteur: M. René Cassin).

The First Committee has adopted the annexed report on the above subject presented to it by its sub-Committee. It recommends the Assembly to adopt this report and the resolutions set out therein.

REPORT BY THE SUB-COMMITTEE.

I. The sub-Committee had before it two amendments to Article 16 of the Covenant proposed by the British Government on 30th July 1923.

The first and the more important deals with Article 16, para. 1, of the Covenant.

As has been explained by the British Delegate, this proposal arises from the fact that the original text of Article 16, para. 1, of the Covenant dealing with economic penalties for violation of the Article was amended by the Second Assembly in 1921, but has continued in force in consequence of the amendment having failed to secure ratification by a sufficient number of Members of the League, and in particular by Powers represented on the Council. The proposal aims at securing the voting of a text which will command universal assent.

The original text is as follows:—

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

The latter part of the text as altered by the amendment which has not come into force, has the following different wording:—

“which hereby undertake immediately to subject it to the severance of all trade or financial relations, *the prohibition of all intercourse between persons residing in their territory and persons residing in the territory of the covenant-breaking State and the prevention of all financial, commercial, or personal intercourse between persons residing in the territory of the covenant-breaking State and persons residing in the territory of any other State, whether a Member of the League or not.*”

The new amendment presented by the British Government in 1923 was to alter the above part of the paragraph so as to read as follows:—

“which hereby undertake immediately to subject it to the severance of all trade or financial relations and to

prohibit all intercourse, even if not between their nationals and the nationals of the covenant-breaking State, at least between persons resident within their territories and persons resident within the territory of the covenant-breaking State, and to prevent all financial, commercial or personal intercourse, even if not between the nationals of the covenant-breaking State and the nationals of any other State, whether a Member of the League or not, at least between persons resident within the territory of that State and persons resident within the territory of any other State, whether a Member of the League or not.”

The Fourth Assembly, however, by its resolution of 19th September 1923, decided for reasons of constitutional procedure and of expediency to adjourn the discussion of the above amendment to the Fifth Assembly (1924).

As the British Government has not at the Fifth Assembly withdrawn its proposal, the substance and the form of the proposal fall to be examined by the Assembly.

II. As regards the substance, the advantages of the British amendment hardly admit of dispute if comparison is made between the way in which it is drafted, the original text and the text as affected by the amendment which has not yet come into force.

By contemplating interruption of relations between “nationals” of the States which are defending and those of the State which has violated the Covenant, the original text of Article 16, para. 1, employed an expression which has been variously interpreted since 1920, it having been thought by some persons that it ought not to be taken in its literal sense. Moreover, adopting the normal sense of the word, the system of economic blockade set up in 1919 is seen to be at once incomplete and too rigid. The system is incomplete because the nationals of States imposing the blockade are allowed to continue economic relations with their co-nationals resident within the covenant-breaking State. It is too rigid and is in practice incapable of application when the blockade has to be applied by States bordering on the covenant-breaking States on whose hospitable soil nationals of such adjacent State reside in large numbers. How could there be a sudden suspension of the innumerable economic or personal relations which have been formed with the nationals of the State joining in the blockade? It is intelligible that the authors of the 1921 amendment should be anxious to see the latter enter rapidly into force in so far as it substitutes in regard to obligatory measures of blockade the simpler and more effective criterion of residence for the criterion of nationality.

The text voted in 1921, however, was itself not perfectly satisfactory, for it merely substitutes one system of economic blockade for a different system without attempting to combine the systems. At the Second Assembly, the French Delegate had pronounced in favour of obligatory combination of two kinds of prohibition founded, respectively, upon nationality and upon residence. His proposal was, however, withdrawn, and the discussion which preceded

the final voting of the new text of Article 16, para. 1, was conducted in such conditions that it has been possible for some Members of the League to be uncertain whether, in the light of the new text, an *optional* combination of the two kinds of prohibition still remained possible for States desiring to take such a course, or, in other words, whether it was possible for the States defending the Covenant to issue, over and above the prohibition (which is obligatory) of relations between persons resident within the territory of the covenant-breaking State and those resident within their territory, an additional prohibition directed against relations between the nationals of the covenant-breaking State and their own nationals.

Such a combination, which there can be no question of rendering obligatory, ought to be possible wherever it can be organised in practice. It has the great advantage of rendering particularly complete the blockade of the State which has violated the Covenant by preventing nationals of the latter State residing in the territory of States not participating in the infliction of economic penalties from provisioning their country with war materials by nationals of a State participating in the blockade.

The British Government, anxious to remove the legitimate apprehension of some States which were not disposed to give a ratification which might thenceforth prevent them from having resort to any kind of prohibition except a prohibition based on the criterion of residence, has therefore taken the happy initiative of proposing a compromise which does not re-open discussion upon the principle of the amendment voted in 1921 and does not increase the obligations of the Members of the League as determined in 1921 or prejudice the traditional principle of humanity which protects the safety, material existence and domestic relations of the persons affected by prohibitions, but which gives the Powers above referred to the assurance that they will be acting in accordance with the spirit and with the terms of the Covenant in adding if they deem it expedient, prohibitions based upon nationality to the prohibitions which they issue in application of the criterion of residence against the covenant-breaking State.

The principle of this British proposal, which is to allow optional combination, has been the more readily welcomed by your sub-Committee in that a rigorous application of the economic and financial blockade contemplated by Article 16 of the Covenant is a method of assuring conscientious respect of the obligations of the Covenant which may make it possible to avoid recourse to force. The principle is calculated to remove all the obstacles which impeded ratification by certain Members of the League of the important amendment of 1921 and to expedite the final disappearance of the original text of Article 16, para. 1, which still continues in force despite its unsatisfactory wording.

One comment only was made by the Swiss Delegation, and it has been considered that it should be inserted in this report. It should be fully understood that neither the text now proposed nor, for that matter, Article 16, para. 1, of the Covenant as originally drafted, nor the amendment adopted in 1921, which has not come into force, prejudices in the slightest degree the question of what, *vis-à-vis* the other States, is

the effect of a prohibition issued in a State against nationals or residents of a covenant-breaking State. It is for each such other State to determine for itself the effect within its territory of a prohibition of this kind issued by another State.

The sub-Committee has also taken formal note of a declaration made by the Delegate of Persia to the effect that that country, without seeking to escape from the obligations of the Covenant, was unable without very great difficulty to forbid relations between Persians resident in Persia and Persians resident in another State, and, accordingly, did not consider the new draft of Article 16, para. 1, sufficiently satisfactory to enable it to adhere to the principle of the amendment of 1921.

III. Agreement having been obtained on the substance, it remained for the sub-Committee to examine the form of the British amendment. On this point some judicious criticisms were made by the Netherlands Delegate. He pointed out that only things which were comparable could be compared with one another. To provide for a prohibition "even if not of relations between their nationals at least between persons resident" gave the appearance of taking the second possibility as covering a more restricted field than the first.

It is for this reason that the sub-Committee has agreed upon a draft which is less elliptical and which sets out clearly both what it is that the Members of the League are obliged purely and simply to do in the matter of economic penalties, and what it is that they may do in addition for motives of expediency of which they are naturally themselves the judges.

IV. The British Government put forward in 1923, and has maintained in 1924, a second proposal—namely, the suppression of the words "in such case" which appear at the beginning of Article 16, para. 2 of the Covenant as originally drafted. The reason given is that these words become redundant so soon as this paragraph has become para. 5 of the article through the entry into force of the amendments adopted by the Second Assembly.

The sub-Committee, taking into account the fact that the draft protocol which the First and Third Committees are examining, in execution of the Assembly's resolution of 6th September 1924, is of a character which may affect the entry into force of the amendments adopted in 1921 inserting the three new paragraphs after the first paragraph of Article 16, has, in agreement with the British Delegation, reached the conclusion that it should be proposed to the First Committee to adjourn discussion of the second British proposal until a subsequent Assembly.

ANNEX II.—*Report of the First Committee on the Proposal of the Netherlands Delegation to amend Rule 27 of the Rules of Procedure of the Assembly. (Rapporteur: M. Rolin, Belgium.)*

The First Committee approves the annexed report of its sub-Committee and recommends the adoption of the report by the Assembly.

REPORT OF THE SUB-COMMITTEE.

I. The sub-Committee has carefully examined the Netherlands proposal, which was in the following terms:—

“There shall be added to Rule 27 of the Rules of Procedure of the Assembly a second paragraph worded as follows:—

“Provided that decisions of the Committees shall be taken by the vote of the majority of the Members of the League represented at the meeting.”

The Netherlands Delegate informed the sub-Committee that his Government's intention was that the amendment should be purely explanatory, and should merely legalise the existing practice of the Committees.

Your sub-Committee quite realised that the proposed interpretation was correct. Unanimity at plenary meetings of the Assembly is only necessary for the adoption of resolutions representing genuine decisions which are not connected with procedure and are binding on the States. Committee reports do not fall within this category, since they are merely a preliminary and provisional stage of the resolutions finally adopted by the Assembly.

Although the ultimate vote of the Assembly must be unanimous, it does not follow that majority votes in Committees can be of no effect. Indeed, experience shows that minorities on Committees, while endeavouring to secure the acceptance of their own resolutions, do not, as a rule, attempt to prevent the adoption of other resolutions if the majority are in favour of these.

It has occurred to your sub-Committee however, that in some cases the opposition of a minority in a Committee to a resolution, which cannot be adopted at a plenary meeting of the Assembly, except by a unanimous vote, may render it useless to submit the resolution actually voted by the Committee to the Assembly without amendment. It would be inexpedient in such cases not to allow Committees to reconsider their decisions and, if the majority thinks it desirable, to amend the resolutions already voted with a view to meeting to some extent the objections raised.

For this reason, your sub-Committee is of opinion that it would be preferable not to bind the Committees by a rigid rule, as proposed by the Netherlands Delegation, but to allow them to continue to use the elastic procedure which has hitherto been followed.

The Netherlands Delegate has accepted this view.

II. The sub-Committee then considered a proposal put forward by the Spanish Delegation to amend Rule 27.

This proposal was to the effect that, if the amendment put forward by the Netherlands Delegation was adopted, the new second paragraph of Rule 27 of the Rules should be completed by the addition of the following further paragraph:—

“At the request of one or more members of the Committee who have not voted in favour of a report adopted by a majority, the dissentient opinion, with a statement of the reasons for it, shall be communicated to the Assembly at the same time as the report.”

As the Netherlands Delegate had withdrawn his amendment, the Spanish additional amendment was also withdrawn.

The sub-Committee was of opinion that the rapporteur might be relied upon to give a fair statement of the dissentient opinions of one or more members, if asked by them to do so; moreover, the minority would have a check on this statement when the report came to be adopted.

III. The Chinese Delegate on the sub-Committee proposed, as an amendment to the Netherlands proposal, that the consent of any country mentioned in the resolution, or whose interests are principally or mainly affected by such a resolution, must first be obtained to the system of majority voting.

In view of the withdrawal of the Netherlands proposal, the Chinese Delegate also withdrew his proposal.

The sub-Committee was of opinion that the Committees might be relied upon, before deciding whether a majority resolution should be submitted to the Assembly as voted, to give special attention to the nature of any objections raised by States in the position described in the Chinese Delegate's proposal.

IV. Lastly, your sub-Committee had before it an additional amendment, proposed by the French Delegation, to the Netherlands Delegation's amendment:—

“Any delegate unable to attend a meeting may be represented at such meeting by the delegate of another Member of the League. The same delegate cannot vote for more than two Members.”

In view of the withdrawal of the Netherlands proposal, the French Delegation also withdrew its additional amendment.

Conclusion.—The sub-Committee proposes that the Committee ask the Assembly to adopt the terms of the present report, and to place on record its decision that there is no necessity for any amendment to Rule 27 of the Rules of Procedure.

ANNEX III.—(A)—*Report of the Second Committee on International Loan for Greek Refugees and other work of the Financial Committee (Rapporteur: M. Sugimura.)*

I.—THE SCHEME FOR AN INTERNATIONAL LOAN FOR GREEK REFUGEES.

In my report on the work carried out under the auspices of the Financial Committee, I must give an account of a task which, although it was humanitarian in origin, and although its success depended on its retaining its purely charitable character, yet developed, in the course of the year which has just elapsed, into a technical and financial question. I refer to the efforts to solve the immense problem of establishing in Greece the refugees from Asia Minor.

When the work of the Fourth Assembly came to an end in 1923, the Council approved and Greece signed—after negotiations with the Financial Committee—a Protocol creating a Refugee Settlement Commission and containing provisions for facilitating an international loan to supply the necessary funds for the settlement of these refugees.

In order to enable you to realise the importance of the work which has been accomplished, it will suffice if I give you a general outline of the situation as it was in the spring of 1923 and compare it with the present position and the results achieved in the settlement of the refugees. I will then explain the means by which it has been possible to effect so great a change in the course of a single year.

In March or April 1923, following upon the events in Asia Minor, an immense multitude of refugees, estimated at over 1,000,000, fleeing from Asia Minor, scattered over Thrace, Macedonia and Old Greece.

The streets of Athens were thronged with them. Disease, and, in particular, malaria, had already begun its deadly work upon them. For Greece they constituted a danger of social trouble and of bankruptcy.

From the very outset, the Greek Government undoubtedly did all that was humanly possible to cope with the distress. Charitable societies were lavish in their help. Dr. Nansen, the High Commissioner of the League of Nations, to whose work the Fourth Assembly paid a striking tribute, devoted his energies to co-ordinating all the benevolent efforts for the transport of the refugees, and, under his direction, an experiment on a small scale, which was to serve as a model, resulted in the formation of several agricultural colonies in Western Thrace. But it became clear that no private enterprise, no system of charitable assistance, no degree of devotion, however great, could succeed in solving in an adequate fashion the overwhelming problem arising out of the influx of these multitudes.

Since this date, there has been a most satisfactory change in the position. In the country districts a large number of houses have been constructed on land granted to the Commission by the Hellenic Government. These houses were ordered by the 1,000 and built according to pattern. The refugees were provided with seed, forage, ploughs, draught animals, and even some agricultural machinery. Auxiliary industries, such as that of the blacksmith and wheelwright, began to grow up in connection with these colonies. The Hellenic Government placed at the disposal of the Commission 500,000 hectares of land, much of which was exceedingly fertile. Tobacco plantations have been started in various districts and have already been the source of considerable profit to the planters. It may be estimated that more than half the families of agricultural refugees have now a home; not, it is true, one which is provided with comforts, but such at least as justifies the hope that all these families may not only be self-supporting in the near future but may be able to refund the sums which have been advanced to them.

In the neighbourhood of certain towns—for example, at Volo, and near Salonika—urban colonies have been formed. In the immediate neighbourhood of Athens, 16,000 houses are already inhabited. It is proposed to start certain industries, such as the manufacture of carpets in which the Greeks of Asia Minor excel, and which it is hoped to revive near Athens.

There are, of course, still many thousands of refugees to be settled, but the work is at present well advanced. The end is clearly in sight, and the experience of last year has supplied the knowledge of the right means to reach it. In short,

the complete solution of the problem is assured, subject to certain conditions.

How has this settlement been effected, and what have been its main features?

Throughout the work, private charity has taken the initiative. It may be said to have served as a dyke under the protection of which it has been possible to construct lasting foundations for the settlement of the refugees in productive occupations. In the second place, after charity, it is the technical work of the Refugee Settlement Commission, supported by the Hellenic Government's organisations, which has made possible the methodical co-ordination of effort which was necessary in order to ensure success.

The Refugee Commission, created under the terms of the Protocol of 29th September 1923, is composed of four members, of whom two are Greeks and two are appointed by the Council of the League of Nations, viz., Mr. Henry Morgenthau, Chairman, formerly United States Ambassador, and Mr. Campbell. The Commission submits a periodical report on its work to the Council and to the States Members of the League. You will have been able to obtain from these reports an idea of the complex character of the work which has been undertaken and of the competence with which it has been carried out, with the assistance of the Hellenic authorities.

The Hellenic Government has expended a great deal of money on the settlement of the refugees, but in the spring of 1923 it was forced to face the necessity of obtaining credit, and therefore made its first representations to the League of Nations with a view to securing the moral support of the latter and the technical assistance of its Financial Committee.

In May 1923, the Committee sent one of its members to Athens, and it was as a result of the Committee's enquiries that the Protocol was drawn up and signed. Even before September 1923 the Bank of England, placing its confidence in the signature of the Protocol before it had actually taken place, advanced 1,000,000l. to the National Bank of Greece. In 1924 it advanced another 1,000,000l., and with these 2,000,000l. and the 1,000,000l. given by the Greek Government the Refugee Settlement Commission has been able to carry out its work.

The Protocol authorises Greece to issue an international loan up to a maximum of 10,000,000l., as at present fixed; this loan is to be devoted to refugee settlement. Greek bankers have undertaken to subscribe 25 per cent. of the amount.

The Financial Committee has carefully considered what securities should be assigned to the loan. It has decided upon immovable securities, in the form of the land and houses occupied by the refugees; movable securities representing the repayment by the refugees themselves of the advances made to them; and, last and most important, fiscal securities, to be assigned by the Greek Government to the service of the loan (Customs, tobacco, liquor duties, etc.). The International Financial Commission established at Athens many years ago will be entrusted with the administration of these revenues, and will transfer them, together with the yield from the loan, to the Settlement Commission, which will expend them in the interests of the refugees. Further, in order to secure the loan for the

refugees, Greece has undertaken not to pledge her other revenues, except upon certain conditions specified in the Protocol.

The above is an outline of the system laid down in the Protocol signed on 29th September 1923, which has lately, as the outcome of further negotiations between the Financial Committee and the Greek Government, been amended so as to meet certain technical requirements and to take account of a recent improvement in the financial position of Greece.

In view of the political situation and the general position of the money market, the Hellenic Government has not yet been able to issue the important international loan for which the Protocol provides. We have seen above how, notwithstanding, the Government's own advances and those obtained from the Bank of England have enabled the Settlement Commission to operate during the past year. The financial machinery, therefore, is already in existence, and the Financial Committee is of opinion that the Greek Government can offer adequate security for a loan of 10,000,000*l.* Thus the League of Nations has done all in its power to assist the Greek Government in overcoming the serious difficulties in which it was involved by the migration from Asia Minor. Thanks to the League's intervention, there is reason to hope that the refugees, whose migration formerly constituted a danger for their country, may be settled on Greek soil and may operate as a new factor in the prosperity of their country.

The Second Committee proposes to the Assembly the adoption of the annexed draft Resolution (see page 20).

II.—OTHER WORK OF THE FINANCIAL COMMITTEE.

The work of the Financial Committee covers so wide a field that the Second Committee has found it necessary to subdivide it, for purposes of study, to an increasing extent every year. Thus, in 1923, a special *rapporteur* dealt with the reconstruction of Austria and, in 1924, the Second Committee has already heard M. Cavazzoni report on the work done by the Financial Committee in the matter of the reconstruction of Hungary and M. Georges Bonnet give details regarding the progress accomplished in the financial reconstruction of Austria and the latest agreements concluded respecting the modification and eventual suppression of the system of control.

I must, therefore, begin by reminding you of my colleagues' valuable reports, and of the special report submitted by me on the scheme for an international loan for *Greek Refugees*. In the present communication I will, therefore, only speak of the Economic and Financial Organisation's work of a theoretical or general character and of one of the special problems in respect of which the Financial Committee has contributed to the reconstruction of Europe, namely, the finances of the Free City of Danzig.

In the supplementary report of the Council to the Assembly, you will have found information regarding the publications of the Economic and Financial Organisation. You are familiar with its various annual memoranda: on currency, on banks of issue and on public finance. Each year these memoranda set forth, in a concise form and according to a carefully considered

plan, the principal data regarding the financial situation of all the countries of the world. They are indispensable manuals not only to economists and students, but even more to statesmen, bankers, &c., and to all who wish to form a correct idea of the development of the great questions which are of special concern to the modern world, viz., the exchanges, international loans, budgets, banks of issue, &c.

The *Monthly Statistical Bulletin* continues to furnish figures enabling the reader to grasp the general trend of economic conditions throughout the world.

I must make special mention of the fact that this year, in pursuance of the resolutions of the Second and Third Assemblies, the Economic and Financial Organisation has produced a memorandum on the balance of payments and on the foreign trade balance of the various countries. It was at the instance of the Second Committee that the Third Assembly recommended the thorough consideration of these questions. The investigations concerning the balance of payments are still only in the experimental stage, but I consider that the results which have already been attained fully justify the initiative taken in 1922.

All these publications have been very favourably received by the technical press throughout the world.

In pursuance of a resolution adopted by the Brussels Conference and endorsed and extended by the Genoa Conference, the Financial Committee, as you will remember, undertook the study of the problem of double taxation and fiscal evasion. The Committee has left this question in the hands of highly qualified experts, who are chief inspectors of taxes in seven European countries, chosen among the most important or the most representative of the different types of fiscal legislation.

These experts held one meeting before the Fourth Assembly for a preliminary exchange of views. They held two sessions between the Fourth and Fifth Assemblies and have made great strides in the study of the questions submitted to them. You are all aware of the complex nature of the considerations involved. It is desired to find the basis of an agreement between the different States on points relating not only to the financial and fiscal policy, but also, in many cases, to the economic policy of each country. On the one hand, we have wealthy creditor nations and, on the other, countries in process of development and in search of capital; while in contrast to highly developed fiscal organisations in which the principle of a personal tax receives full application, we have administrations conceived on entirely different lines, in which the "impôts réels" or "real taxes" play an important part side by side with personal taxes.

As regards fiscal evasion, everyone knows how difficult it is to deal effectively with this evil from which the budgets of many countries suffer. The flight of capital, whatever the cause may be, has so far defied every attempt to stop it; in this connection I need only remind you of the conclusions reached by the Second Committee of the Reparation Commission.

Fully realising these difficulties, the Government experts of the League have continued the

study of the problems before them in cordial co-operation and in the most devoted spirit.

As regards double taxation, they have succeeded in drawing up a text covering the whole of the problem and setting forth the principles on which they have agreed. They successively examine the general income-tax and the "real" or "schedular" taxes and give a definition of fiscal domicile for persons and corporations. This text cannot yet, however, be communicated to the Assembly. The experts wish, in the first place, to revise the draft, and, in the second, to prefix a general report by way of commentary. Moreover, from the outset they made it clear that there must be an intimate connection between the solutions adopted for the two problems of double taxation and fiscal evasion. Hence, as the study of the latter has not yet been concluded, they have not considered it advisable to publish the text regarding the former problem.

You will be interested to hear that, in the course of their last session, the Government experts received a delegation from the International Chamber of Commerce, which is also endeavouring to find a remedy for the evils resulting from differences in fiscal legislation.

As I indicated above, among the growing number of European countries which have availed themselves of the advice, the labours and the support of the Financial Committee, there is only one with which I propose to deal in the present Report, *viz.*, the Free City of Danzig.

Last year, when the Second Committee was reviewing the work of the Financial Committee, negotiations were in progress between the Free City of Danzig and Poland with a view to the conclusion of an agreement on the currency question. This arrangement was signed on 22nd September 1923, and the Danzig currency reform was carried out at the end of the year on the lines recommended by the Financial Committee.

You are familiar with the difficult position in which the Free City of Danzig was placed, owing to the fact that, while its principal economic relations were with Poland, it was obliged to use the German mark, the collapse of which was becoming more and more rapid in 1923. In a law dated 20th October 1923, the Senate of Danzig introduced a currency whose unit was the gulden, equivalent to one-twenty-fifth of a pound sterling. A month later the final reform was effected, and the gulden became the sole unit of exchange in the territory of the Free City of Danzig and sole legal tender as from 1st January 1924. A bank of issue was established, under the name of the Bank of Danzig, with a capital of seven and a half million gulden, about five and a half millions of which were subscribed in Danzig and the remainder by Polish financial groups. The Bank began operations in March 1924; its Statutes were drawn up on the same general lines as those of the new banks of issue in Austria and Hungary. When, quite recently, the President of the Danzig Senate came and gave the Financial Committee an account of the results of the great currency reform, he was able to state that the reform had been a complete success, and had been accomplished with a minimum of disturbance in the economic life of the country. The gulden has taken rank among the most stable of the European currencies.

The expressions which I have just used will no doubt remind you of the familiar features characterising the work of reconstruction so successfully undertaken by the Financial Committee in Austria and Hungary. With the differences due to local conditions, you will find that this body of experts has applied the same general principles as were laid down by the Brussels Conference. The competence and prestige of the members of the Financial Committee have increased with their experience, and have kept pace with the success which has crowned their patient efforts. The Second Committee proposes to the Assembly a general resolution (No. 2) (*see* page 1130) marking the Assembly's appreciation of their valuable work.

In conclusion, I would like to make an observation which has been suggested to me by the discussions of another Committee. It has been said on all sides that the primary task of the Fifth Assembly was to ensure security by means of a Treaty of Mutual Assistance. But military problems do not constitute the only sphere in which the idea of mutual assistance can find an application. Against financial calamities, which may have such sinister effects on the life of nations, the co-operation of all the Members of the League has already been enlisted in the endeavour to draw up conventions on many subjects in the economic and financial sphere. This is the way in which conflicts can be prevented, by organising the economic collaboration of all countries.

As regards *complementary agreements* in the financial sphere, the League of Nations has provided examples in the reconstruction of Austria and Hungary, and in its assistance to the Greek refugees and to the Free City of Danzig.

It is thus endeavouring in individual cases to mitigate the consequences of financial disasters, and that its efforts have been crowned with some measure of success is due to the fact that, contrary to the opinion held by sceptics and the ignorant, it has always displayed in this domain, as in that of disarmament, both far-seeing wisdom and prudence, and combined idealism with a sense of reality.

ANNEX III. (B).—*Report of the Second Committee on the work of the Economic Committees. (Rapporteur: M. Veverka.)*

The very comprehensive and instructive report which the Economic Committee has laid before us explains the results of the work it has accomplished since the last Assembly. It may be said from the outset that—even in the light of the most searching criticism—the results achieved may be considered very satisfactory and of good augury for the successful completion in the future of the various tasks which the Committee has still to consider in accordance with Council and Assembly resolutions, more especially that of organising the exchange of goods between the Members of the League of Nations.

The work which has already been completed, or with regard to which the Committee has made considerable progress during the past year, may

be grouped under the following general headings:—

- (a) Measures to ensure the practical application of the provision in Article 23 (e) of the Covenant relating to the equitable treatment of commerce: in particular, measures intended to safeguard international commerce against excessive, unjust, or arbitrary Customs and similar formalities and also against unfair and fraudulent practices; to discourage the unfairly restrictive or discriminatory treatment applied to foreign nationals and enterprises; and to promote better means for the settlement by friendly arbitration of commercial differences.
- (b) The exploration, in close collaboration with the International Labour Office, of the causes and features of present and previous economic crises.
- (c) The question of the unification of methods of economic statistics.

1. The Second Committee noted with keen satisfaction that the work which the Economic Committee has undertaken with the object of ridding international commerce of all excessive, unnecessary, and arbitrary Customs and other similar formalities has been successfully crowned by the conclusion of an International Convention drawn up at Geneva on the 3rd November 1923. Sufficient stress cannot be laid on this event. The fact that it was possible for the League to assemble the delegates of the 85 States Members and non-Members of the League, who agreed to meet in Geneva in order to discuss, on the basis of the programme established by the Economic Committee, the means of simplifying Customs formalities, and that after three weeks of negotiations carried on in the spirit of co-operation and mutual understanding it was possible to conclude a binding agreement which was signed at the close of the Conference by the delegates of 22 States, is proof that the Economic Committee, when drawing up the programme of the Conference, had proceeded with the utmost prudence, taking account of realities and not endeavouring to impose upon the States doctrines for the acceptance of which the time is not yet ripe.

Among the different provisions of the Convention, one especially deserving of mention is that contained in Article 22, which prescribes that any dispute arising out of the application or interpretation of the Convention should be referred for an amicable settlement to a technical body created for this purpose by the Council of the League of Nations.

The Council has entrusted the Economic Committee with this duty, and the latter has drawn up special regulations for applying the article in question. The procedure provided for by these regulations is sufficiently elastic to allow of its being applied to the different cases which may arise, and at the same time it assures equal representation for both parties to the dispute. The Council has approved these regulations, and has transmitted them to all the States concerned.

Up to the present the Convention relating to the Simplification of Customs Formalities has been signed by 31 States and ratified by six, viz.,

the Union of South Africa, Austria, Great Britain, Denmark, Italy and New Zealand.

The conditions of Article 26 having thus been fulfilled, the Convention will come into force on 27th November 1924.

The Assembly will no doubt be unanimous in hoping that the other signatory Powers will find it possible to ratify the Convention at an early date, so that its beneficial effects on international commerce will become universal.

2. The Economic Committee has given much time and labour to the problem of ensuring to honest trade a better protection against the various forms of unfair competition. This decay of commercial morality threatens to spread, the more so since it finds favourable soil in the shattered and even stricken state of international economics—the result of the world-war. With the assistance of experts from 22 States and of the Director of the International Bureau for the Protection of Industrial Property, the Committee drew up a series of amendments and additions to be inserted in the Industrial Property Convention when it comes up for revision at the Conference, which the Committee understands will be convoked by the Netherlands Government at The Hague in the autumn of 1925. These amendments will now, with the approval of the Council, be submitted to all States Members of the League and of the Union, and it will be for these States to give their utmost support to the proposals of the Economic Committee at The Hague Conference.

3. The chapter of the Committee's report dealing with the question of the protection of the foreign buyer against worthless goods—with regard to which the last Assembly, at the instance of the Venezuelan Delegate, M. Zumeta, passed a resolution—is particularly instructive and well documented.

In October last the Committee received from the delegates of 11 Latin-American States certain suggestions as to the means by which a better provision for the protection of the overseas purchaser might be effected. After examining each of these proposals, the Committee has come to the conclusion that the method most likely to yield practical and useful results is the one based on a system of previous inspection, testing, stamping and marking, officially or unofficially, of the greatest possible number of goods intended for export—it being understood that the goods in question should be of the same quality as specified in the indication which corresponds to the external marks mentioned above—a method which has been clearly suggested in the note submitted by the Latin-American delegates. The Committee has collected a most valuable documentation as to the facilities already existing in the various countries for certifying the quality of certain categories of goods, a summary of which is attached to its report. The Committee further proposes to complete this documentation so as to give as complete a survey as possible of the existing laws and organisations for the protection of the foreign buyer.

In addition to the methods mentioned above, a more general adoption of the Protocol on Arbitration Clauses, which, in accordance with the decision of the Fourth Assembly, was open for signature in September last. The general recognition of the arbitration clause provides for

exactly the effective and economic method of procedure for dealing with complaints as to the quality of goods which was suggested by the Latin-American memorandum.

The Committee further strongly urges that all the facilities provided in exporting countries for testing, verifying and certifying the quality of goods should always be fully available for the benefit of the overseas buyer as well as for that of the home consumer. These facilities should, in the interest of legitimate international commerce, be more fully developed and extended, and should also be made more widely known to overseas purchasers.

It remains to be noted that the Council has endorsed the conclusions of the Committee and has decided to transmit them to all States Members of the League.

The Assembly cannot do otherwise than urgently appeal to the said States to give their earnest consideration to the recommendations of the Committee.

4. I pass now to the problem of the treatment of foreign nationals and enterprises.

On this point the Economic Committee merely informs us of the progress it has made in its study. It may be remembered that, at the suggestion of the Japanese Delegate, M. Adatci, the Fourth Assembly requested the Committee to extend its investigation to certain aspects of the question which have not yet been considered. The Committee has considered it expedient to examine first the scope of its enquiry and has decided to limit its study for the time being to the question of the rights accorded or to be accorded to foreigners who have already been admitted into a country for the carrying on of professions and occupations and also to the question of the freedom of residence and travel.

As a preliminary step, the Committee has collected information as to the practice in the various States with regard to the subject-matter. The information which has so far been received, and which is summarised in an annex to the report, is given as an illustration only and will have to be completed. I would like to emphasise that the Members of the League could appreciably facilitate the work of the Committee by readily replying to its request for information.

5. Reference has been made above to the Protocol on Arbitration Clauses. It can be stated with great satisfaction that up to the present date this Protocol has been signed by 23 States, and, having been ratified by three, it entered into force on the 28th July 1924.

It is of the utmost importance that further ratifications should follow without delay, in order that international trade may benefit.

6. I would refer now to one of the activities of the Economic Committee which is deserving of special attention, namely, the study and determination of the various symptoms which precede economic crises and which are connected with them by chains of causation.

With regard to this matter, a system of collaboration has been devised between the Committee and the International Labour Office, which is studying the same phenomena from the point of view of unemployment. For this purpose the sub-Committee on Economic Crises set up by the Committee will be reinforced by four

members appointed by the International Labour Office whenever questions arise which are of common interest to the two bodies. In the course of last year the sub-Committee on Economic Crises, in collaboration with the International Labour Office, devoted special attention to the question of economic "barometers".

With the approval of the Council, it has decided to publish in the *Monthly Bulletin of Statistics* a certain number of carefully selected indices of economic conditions of different countries. This decision will no doubt be welcomed by all States. It has further decided to watch systematically and conjointly with the International Labour Office the progress of research in the matter of economic "barometers" with a view to possible suggestions for improvement and co-ordination at some future time, and also to study, in collaboration with the International Statistical Institute, the question of the improvement of some of the fundamental data which have a bearing on the forecast of business conditions.

7. It seems desirable to emphasise the importance of the efforts which the Committee has made towards the unification of methods in economic statistics. As a result of these efforts, the International Statistical Institute has adopted a series of resolutions concerning the statistics of international trade, fisheries and prices, which were subsequently sent to the Members of the League for their comments, and also concerning agriculture, which have been transmitted to the International Institute of Agriculture for circulation to the members of the Institute. The programme laid down by the Committee for the current year covers the question of the methods adopted in compiling the statistics of industrial production and industrial productive capacity and the classification of industries. The Preparatory Committee on Statistics, which will deal with these matters, is composed of experts nominated by the International Statistical Institute, the International Labour Office and the Economic Committee, the latter having nominated four experts. Considering the practical object of that branch of the Committee's work and its importance for the study of the various questions before the Committee, we cannot but note with satisfaction the results which have already been achieved and approve the programme which has been laid down for the current year.

The Second Committee desires to express its gratitude to the members of the Economic Committee for the zeal and devotion they have shown in the fulfilment of the tasks entrusted to them—tasks which have often been delicate and always difficult, and the performance of which has so far yielded practical results in the very wide field covered.

8. During the discussion on the economic work of the League by the Second Committee, the delegate of Italy, M. Cavazzoni, submitted a resolution to the effect that the Council should be requested to entrust the Economic Committee with the task of studying the expediency and methods of action having for its object the abolition of import and export prohibitions and restrictions.

This proposal gave rise to a very interesting exchange of views, which showed the general desire for progress in this special domain, which—as the Economic Committee has already recognised—comes into the sphere of the equitable

treatment of commerce provided for in Article 23 (e) of the Covenant.

The Second Committee was of the unanimous opinion that the Economic Committee is to-day the only international body possessing the large competence and the prudent methods which are capable of achieving practical success in this matter, which is as delicate as it is complicated, and of taking into account all the interests involved and the great difficulties, some of which have been specially brought to light by various delegates in the course of the discussions.

ANNEX IV.—Report of the Second Committee on the Work of the Committee on Intellectual Co-operation. (Rapporteur: Professor Gilbert Murray.)

The Second Committee has received and carefully considered the work accomplished by the Committee on Intellectual Co-operation between the Fourth and Fifth Assembly.

This work is set out in the Minutes of the Third and Fourth Sessions of this Committee (C. S. M. 3. 1924; A. 20. 1924); the Committee's Report to the Council and to the Assembly (A. 31. 1924); the Supplementary Report of Professor Ruffini on Scientific Property (A. 29. 1924); the Minutes of the Committee of Experts on the Exchange of Publications (A. 21. 1924); and the Report of that Committee to the Council and to the Assembly (A. 19. 1924).

In studying these documents, the Second Committee has been able to form an idea of the valuable work carried out by the Committee on Intellectual Co-operation under its distinguished Chairman, M. Henri Bergson. The task which the Committee has to accomplish is by no means an easy one. It has to attempt to find remedies for evils from which practically the whole intellectual world has been suffering since the war, and to stimulate and establish intellectual co-operation between nations. Its material resources are very limited, and it has been bound to confine its action to co-ordinating and organising what is already in existence, taking care not to interfere in matters which exclusively concern the various Governments and to avoid overlapping. The immediate result of the enquiry which it has undertaken with a view to ascertaining the present position of intellectual life has been to show what countries are suffering most acutely and are most in need of assistance. As a result of this enquiry, National Committees have been set up in every country, their duty being to co-operate with the International Committee and assist it in its task. Although the life of the intellect has been severely threatened, sufficient vitality remains, even in those countries which have suffered most, for organisations to be formed capable of continuous effort. The immediate result of the first direct contact established between the Committee on Intellectual Co-operation and the representatives of the National Committees has been to enable the persons actually concerned to make the complaints of their respective countries known. By establishing relations between the Committees in countries more fortunately situated or less affected by the aftermath of war and the Committees of less fortunate countries, the Committee has had the satisfaction of being able to afford some relief.

Books and publications have been sent to many institutions in Central Europe, and quite recently its appeal on behalf of the library of the University of Tokio has met with a response in many countries. Other resolutions have recently been adopted in regard to the exchange of publications, interchange of professors and other matters, from which much good is expected to result.

One of the most important questions considered by the Committee on Intellectual Co-operation has been that of scientific property. A discovery which can be utilised by industry and which enriches both the holder of the patent and the manufacturer who exploits it has, in the past, brought no remuneration to the discoverer. After very detailed investigations, the Committee instructed one of its members, Senator Ruffini, to draw up a draft Convention which, if it is applied, will remove this great injustice. The draft, which, in accordance with a resolution adopted by the Fourth Assembly, has been sent to the various Governments for examination, has been carefully considered by a large number of Governments, which have sent replies. Almost all of them recognise the justice of the principle. In order to harmonise the objections raised with the solutions proposed in Senator Ruffini's draft, the Committee on Intellectual Co-operation has requested the Assembly to approve the convening of a Committee of Experts, composed of scientists, industrialists and persons in touch with the views of their Governments, in order to study these objections, consider them and prepare a new draft Convention which might be acceptable to the Governments. It is in the domain of analytical bibliography that the Committee has obtained one of its most satisfactory results. After a careful study of the question, in collaboration with the most highly qualified experts, it has succeeded in co-ordinating analytical bibliography in physics and its ramifications, and it hopes to obtain similar co-ordination in other branches of science, particularly that of the economic sciences. The bibliography of Greco-Latin antiquity and the bibliography of biology may follow later.

Still in the domain of bibliography, the Committee on Intellectual Co-operation, desirous of perfecting existing methods before establishing new ones—thus acting in accordance with the decisions of the Council and the Assembly—has proposed a draft agreement with the International Institute of Bibliography in Brussels. The Second Committee was extremely glad to note that collaboration has been established with an institution which has rendered, and which will undoubtedly render in future, much assistance to research workers and men of learning, and has approved this action.

The Committee of Experts, which met for the purpose of improving the Convention of 1886 for the Exchange of Publications, has come to the conclusion that this Convention should not be modified. It would be preferable to add a Protocol allowing the States to adhere partially to the original Conventions. The draft Convention drawn up by this Committee invites the signatories to accept the exchange of scientific and literary publications which are indispensable to men of learning in all countries. The Committee of Experts attaches the greatest importance to the signature of this Convention. Its effect would be to place at the disposal of men of learning a

full documentation which they would be unable themselves to obtain, particularly in countries with a depreciated exchange.

The Committee has also adopted Mr. Hagberg Wright's resolution concerning the compiling, by the National Committees and by persons best qualified to do so, of lists of the most important books printed throughout the world. These lists will be published by the Committee on the entire responsibility of their compilers, and will be placed at the disposal of a public of average culture which has hitherto, by force of circumstances been unable to obtain information concerning intellectual production in foreign countries. The *Index Bibliographicus* will be published this year. The Committee on Intellectual Co-operation hopes soon to obtain, in collaboration with the London Institute of Historical Research, precise information concerning the conditions under which the information which it proposes to publish may be obtained by workers in the different archives throughout the world.

The Second Committee is glad to note, with the Committee on Intellectual Co-operation, that its International University Information Office and the *Bulletin*, which is the organ of that Office, have been welcomed in university circles. The Committee is fully aware of the defects of the Office and the *Bulletin*, but it is convinced that they will, in close touch with the National University Offices, eventually render great services to university circles. The *Bulletin*, which has hitherto appeared four times a year, will be published every two months as from next year. In view of the information received from all parts, it may become a faithful mirror of international relations in university life and a factor in the forging of links between schools of advanced studies.

Acting upon the proposals of the Spanish Government in regard to the equivalence of degrees and the co-ordination of studies in the different universities, the Committee has passed a number of resolutions which it would wish to have brought to the notice of the Governments in order that the nations, having learned to know one another better, should live side by side in closer harmony.

The recommendations concerning the equivalence of degrees will, in the opinion of the Committee, eventually prove to be of great assistance in promoting closer relations between students in all countries and rendering them more ready to accept the ideas of peace and justice than their predecessors. Noting with pleasure that a large number of States have proposed to introduce into their school curricula teaching concerning the League of Nations and its aims, the Second Committee suggests that the Assembly should request the Governments to take further steps with a view to disseminating as far as possible among young people a knowledge of the ideals of the League of Nations.

The Committee proposes to publish information concerning methods of teaching in the various countries and to place summary reports at the disposal of those interested in the matter.

In order to facilitate relations between the different universities and the exchange of professors as well as of students, the Second Committee adopts the recommendations of the Committee on Intellectual Co-operation in regard to

the granting of travelling facilities and scholarships, not only to groups of students, but also to professors and men of letters going abroad for some specific scientific purpose.

Quite recently, at its last meeting, the Committee, realising the increasing importance of the cinematograph in modern life and its value as a factor in artistic and intellectual education, has included this subject in its agenda. It decided that it would be desirable to draw up a catalogue of the scientific films already in existence.

Being anxious that the various civilisations should be represented, the Committee, which now, owing to the efforts of the Council, includes a Latin-American representative and a representative of German learning, drafted regulations dealing with correspondents who, should the need arise, would be appointed for specific purposes by the Committee itself.

In the course of its discussions, the Committee examined two proposals, one submitted by Count Apponyi for Hungary concerning an appeal on behalf of Hungarian intellectual institutions similar to that which the Assembly made last year on behalf of Austria, and the others submitted by the Roumanian Delegate, M. Puscariu, concerning the examination of a very interesting scheme for a loan for intellectual purposes.

The Second Committee devoted much time to discussing the offer which the French Government has made to the Committee on Intellectual Co-operation, to found an International Institute of Intellectual Co-operation in Paris.

The French Government, realising how frequently the Committee was prevented by lack of funds from pursuing its activities and making its influence more strongly felt, declared itself ready, in response to the appeal of the Committee on Intellectual Co-operation, to place at the disposal of the Committee an Institute and a sum of money which the Committee should itself administer on the lines it had followed in its past work.

The Council accepted the offer of the French Government in principle and requested the Assembly to give its opinion on three special points: the powers and duties of the new Institute, the administrative and juridical conditions under which it would work, and the relations between the proposed Institute and existing international institutions of an intellectual character, such as the Union of International Associations, the Office international de Bibliographie, the International Research Council and the International Academic Union, the headquarters of which are at Brussels, and whose autonomy it is necessary to maintain.

The Second Committee expresses the highest appreciation of the generosity of the French Government and has given its most careful attention to the points on which the Council requested its opinion, with a view to reaching some solution by which the international character of the Institute might be absolutely safeguarded.

It is of the opinion that this institution, the powers and duties of which will be in conformity with the principles laid down by the Committee on Intellectual Co-operation, should be such as to avoid any overlapping. In its programme and in the choice of its staff, it must be absolutely international. Its administration will be entrusted to the Committee on Intellectual Co-operation

itself, which may delegate its powers to a Committee composed of persons of different nationalities—both members of the Committee on Intellectual Co-operation and others—who will meet at least every two months and will direct the work of the Institute on the lines indicated by the Committee on Intellectual Co-operation.

The higher officials will, of course, be appointed by the Committee itself. The rest of the staff may be appointed by the above-mentioned Committee, and the subordinate staff by its director.

The relations of this new institution with the institutions mentioned in the Council resolution or other institutions of a similar nature shall be determined by the Committee on Intellectual Co-operation after consulting the parties concerned and in agreement with them.

The Second Committee lays special emphasis on the fact that the autonomy of these institutions must be absolutely safeguarded in every way.

The Second Committee wishes to thank the Committee on Intellectual Co-operation, and its members individually, for the effective work which has been carried out since the Fourth Assembly. It requests the Assembly to approve the report of the work of the Committee and to adopt the following draft resolutions. (See page 1132.)

ANNEX V.—Report of the Second Committee on the Work of the Organisation for Communications and Transit.
(Rapporteur: M. H. Strasburger.)

The Assembly has noted the Report submitted by the Advisory and Technical Committee for Communications and Transit concerning the work of the Organisation for Communications and Transit since the last Assembly. It would only seem necessary therefore to draw attention to certain points.

The Organisation began its work this year with the meeting of the Second General Conference on Communications and Transit. All the Governments represented at the Assembly are aware of the complete success obtained by this Conference: the conclusion of a General Convention on the International Regime of Railways, which constitutes the first universal codification of the international law governing relations between States in this connection; a General Convention on the International Regime of Maritime Ports, which unites most of the countries of the world in a common maritime policy of equality of treatment for the shipping of different nations; two Conventions on Electric Questions, which lay the basis for an entirely new development in international law. The documents communicated show the position as regards the signature of each of these Conventions. The Conventions on Railways and Maritime Ports were adopted unanimously. There is every reason to believe that the few States which have not yet signed them will do so before the closing of the Protocol—fixed for 31st October next. In this connection the Assembly will undoubtedly approve the request of the sub-Committee for Maritime Navigation of the Transit Committee and will extend the effects of this

proposal to the other texts which, in addition to the Convention on Maritime Ports, were adopted by the Conference, using all its influence to ensure that the Conventions of the Geneva Conference shall be put into force at the earliest possible date by the States which voted them.

At its first session after the Conference, the Advisory and Technical Committee for Communications and Transit, as renewed, drew up its programme of work. The report explains the procedure adopted by the Committee with a view to varying and specialising its work by setting up sub-committees or special technical Committees, each specially qualified to deal with some branch of communications and each having its own task: sub-Committees for Railways, Inland Navigation, Ports and Maritime Navigation, Electric Questions; Special Committees on Road Traffic, Radio-telegraphic Questions, the Reform of the Calendar; Technical Committees for Tonnage Measurement in Inland Navigation, Private Law with regard to Inland Navigation, Tonnage Measurement in Maritime Navigation, Buoys and Lighting of Coasts.

The work already undertaken by the sub-Committees for Inland Navigation and for Ports and Maritime Navigation, which held sessions in July last and which will examine the details arising out of the discussions of the special technical committees set up by them, entitles us to hope that international agreements will shortly be concluded in connection with various shipping questions, such as the unification of tonnage measurement in inland and maritime navigation. Moreover, the work accomplished by the Special Committee on Road Traffic, which will meet in October next, and the Railways sub-Committee, which is due to meet shortly, authorises us to hope that in 1925 the Convention on Motor Traffic will be ready and that an improvement in passport formalities will have resulted from the discussions of the Emigration Conference at Rome.

The Organisation for Communications and Transit, having thus, in conformity with the Treaty of Peace, drawn up the chief Conventions concerned with matters of principle, is now pursuing its work in connection with the details of their application, in full agreement with the technical authorities concerned. This collaboration with specialist opinion throughout the world is a characteristic of the work of the Organisation for Communications and Transit. At the Second General Conference, the Railways Convention was drawn up with the collaboration of representatives of the International Chamber of Commerce and the International Union of Railways Administrations. The sub-Committee for Inland Navigation is collaborating with the Permanent International Association of Navigation Congresses. The sub-Committee for Maritime Navigation is in close contact with the International Shipping Conference, the Committee for Road Traffic with the Federation of Automobile Clubs; and so on. Thus, all overlapping is avoided and the Organisation for Communications and Transit is becoming a central "clearing-house" for the general investigation of inter-State transport problems.

In this way, it is attaining ever-greater efficiency in carrying out one of the essential tasks entrusted to it in the Rules of Organisation

drawn up at Barcelona and in previous resolutions of the Assembly: the task of acting as an organ of conciliation to settle transport disputes between different States. At the present time in particular, it is interesting to note how the work of the Committee for Communications and Transit has developed in this direction. The Report has already shown that a question, on which the International Danube Commission was unable to reach an agreement, concerning the allocation of shipping dues to the arrears of a former Hungarian loan, was submitted to the Legal sub-Committee of the Transit Committee for examination. Subsequently, just before the Assembly met, the Transit Committee has had referred to it two new disputes, one concerning the application of the articles of the Treaty of Peace concerning the Oder, the other regarding the status of the European Danube Commission. The Assembly will undoubtedly express a hope that the Committee for Communications and Transit will succeed in settling these disputes by conciliation, as it did in a former case—a dispute between the German Government and the Governing Commission of the Saar Territory.

The Transit Committee's programme of work for next year is thus a particularly heavy one. It includes efforts to settle disputes, the continuation of the technical work of various sub-committees and special committees, the holding of partial conferences on traffic, the unification of tonnage measurement in inland navigation, and passport formalities. There is no doubt but that the Assembly will encourage the Organisation to go forward with its programme on the lines which have hitherto enabled it to secure the hearty co-operation of all Governments.

These are the points to which the Second Committee desires to call the particular attention of the Assembly. During the discussion, the Committee also dealt with the progress in the development of radio-telegraphic communications, and felt that a resolution of the Assembly might assist in hastening this progress. The Committee finally adopted a draft resolution concerning the use of Esperanto in these communications. During the discussions, a proposal was made to invite the Secretariat to study the possibilities of broadcasting public debates of the League of Nations by radio-telephone. The Committee has not felt that it could propose a resolution on this question.

ANNEX VI.—*Report of the Second Committee on Health Organisation.*

(Rapporteur: *Dr. Caballero.*)

At the outset of this report, I think it desirable to state that the constitution of the Health Organisation was not finally drawn up until last Assembly. It is, in fact, the youngest of the technical organisations of the League of Nations. This observation must be borne in mind when any general judgment is passed on the work which it has accomplished.

The reconstitution of this body has been attended with very great advantages. Its machinery has been improved and its functioning simplified and rendered smoother.

The year's work of the Health Organisation has been many-sided and fruitful, as is shown by the annual report of the Health Committee to

the Permanent Committee of the Office international d'Hygiène publique; it has extended its sphere of action, improved, completed, and defined its technical equipment, and is thus carrying out with increasing success its special task, which is to give effective help to the various national administrations in their campaign against epidemics and their attempts to improve public health.

Let us observe in the first place, that it has established training courses in epidemiology and in sanitary practice in certain towns of Eastern Europe (Warsaw, Kharkov and Moscow). It took part in the Pan-Russian Conference on Malaria, held in Moscow in January 1924, as well as in the Pan-Russian Congress on Epidemiology, Bacteriology and Public Health, held at Leningrad at the end of March 1924. It collaborated in the enquiry conducted in Russia into the efficacy of vaccination *per os* against cholera, dysentery and typhoid fever; it carried out a mass campaign of vaccination in Greece at the request of the Greek Government. Further, we should mention the more recent mission of the Chief Epidemic Commissioner in the same country, the two successive missions of Dr. Haigh in Albania at the request of the Albanian Government, and lastly, that now being undertaken by Dr. Gilmour in Persia, in his capacity of technical adviser of the Health Organisation placed at the disposal of the Persian Government, a mission in regard to which, I would remind you, the Persian Delegate expressed the satisfaction and the gratitude of his Government at the first plenary meeting of the Fifth Assembly.

An international tradition has thus been established in accordance with which Governments are more and more having recourse to the technical services of the Health Organisation in sanitary matters requiring urgent attention.

The Health Organisation has created, as we know, a Service of epidemiological information as complete as possible, the importance and great value of which it is unnecessary to emphasise, this intelligence service publishes a monthly epidemiological Report and annual Summaries.

The Service is in regular correspondence with the sanitary administrations of 26 European States, 13 American Republics, 16 African Colonies, 12 countries in Asia, with Australia and with New Zealand. The epidemiological information thus collected is supplemented by extracts from numerous periodicals dealing with medicine and hygiene. This information is classified under countries and notifiable diseases. It is proposed to complete these data by including statistics of non-notifiable diseases. Epidemiological and statistical researches of a more special nature regarding notification of cerebro-spinal meningitis, the incidence of scarlet fever and diphtheria, the area of extension of Asiatic cholera, rhinoscleroma, leprosy, tuberculosis and cancer are at present being undertaken.

Another point of interest may be mentioned. Thanks to the grant offered by the Rockefeller Foundation (International Health Board) this epidemiological information Service will shortly establish in Singapore (Far East) a branch, where all the information regarding prevalence of epidemic diseases and other relevant information which it receives from the ports of the Far East will be centralised and classified.

This new office will certainly be of great benefit to the international traffic of those countries

which are exposed almost permanently to danger from the chief epidemic diseases of the Far East.

I shall complete my statement by mentioning that the Health Committee has appointed four groups of expert statisticians to study questions of statistical methods. They have been instructed to take the necessary steps with a view to securing uniformity in epidemiological and vital statistics so as to allow a comparison between the different numerical data collected by the Office.

The Health Organisation has also given attention to the problems, both prophylactic and therapeutic, connected with sleeping sickness in Central Africa. The Health Committee has appointed a Commission of Experts to study these problems, and this Commission will present, for the consideration of the Committee, recommendations intended to serve as a basis for agreements to be concluded between the British, Belgian, French and Portuguese colonies which will provide the means of effectively combating this terrible scourge.

The Health Committee has also appointed a special Commission under Professor Léon Bernard, of Paris, to study the question of instruction in Health and Social Medicine in Europe, America, and Japan. This step was taken in response to the Committee's desire to improve and make recommendations in regard to instruction on public health in the various countries.

The Health Organisation has in no way confined its activities to epidemic diseases. It has also studied, on a large scale and from its international aspect, the question of the campaign against malaria. A Commission on Malaria, comprising specialists of various countries, some of which are not Members of the League of Nations (Germany, Russia) has been constituted for the purpose of studying the best prophylactic and therapeutic methods. The Commission is to carry on investigations in the countries most subject to malaria. For this purpose it visited in turn, from 30th May to 22nd August, the Kingdom of the Serbs, Croats and Slovenes, Greece, Roumania, Bulgaria, Russia and Italy. The Commission was able to form an idea on the spot of the difficulties experienced by the various local administrations in combating malaria.

The results of this enquiry should serve as a basis for the co-operation of this Commission with the health administrations of those countries where malaria is rife. It cannot be repeated too often that it is impossible to display too much energy and pertinacity in dealing with malaria and in preventing its diffusion. Endemic malaria is, indeed, a problem which, in view of its economic effects, is as serious as plague and cholera. It is, perhaps, even more insidious and difficult to fight than the other two diseases mentioned.

An allied question is that of the production of quinine; the Health Committee has been able, in this connection, to secure the co-operation of four experts belonging to different countries. They have undertaken the task of examining problems connected with the manufacture and supply of this drug and the other cinchona alkaloids. These experts have also under consideration a Serb-Croat-Slovene proposal for an international Conference on quinine. This Conference is to be held as soon as sufficient scientific data have been collected.

Another essential point requiring emphasis in the Report of the Health Organisation concerns the international exchange of sanitary personnel and specialists. These interchanges, to which the Rockefeller Foundation gives most valuable assistance, have grown in importance. Thus, while 78 officers, belonging to 18 nationalities, took part in the general interchanges in 1923, there were 99 officers of 20 nationalities in 1924.

The same applies to the special interchanges (malaria, tuberculosis, school hygiene, statistics), since the total of 14 participants, from 11 different nationalities, in 1923 has increased to 28, from 13 nationalities, in 1924. These figures speak for themselves.

The system of interchanges has only been definitely worked out in the course of the last year. It was necessary to obtain the best possible results from these interchanges consonant with the financial resources of the Health Committee. The number of general annual interchanges was fixed at four, for a duration of about seven weeks, each interchange to comprise a maximum of 20 persons; as regards specialists, two annual interchanges were fixed with a maximum of 10 persons for each interchange.

The object of these interchanges is to enable the participants to acquire technical knowledge by getting into touch with public health administrations in the countries of which they are the guests, and, by this means, to create a spirit of mutual understanding and co-operation. If these interchanges are to be successful and yield the benefits we are entitled to expect from them, it is necessary that a judicious choice should be made among the applicants. I am glad to be able to state that great care has always been exercised in making the selection.

The value of these interchanges is, so to speak, bilateral, benefiting as they do both the health administrations of the countries where the interchanges take place and the persons participating in the interchanges as has been justly observed by Sir George Newman, Chief Medical Officer of the British Health Administration. Nationals of distant countries, such as Chile, Paraguay, Salvador, the Argentine, Mexico, Ecuador, Venezuela and Cuba, as well as medical officers belonging to countries which are not Members of the League, have also benefited by the interchanges.

We are indebted to the Health Organisation for work of another kind. It has begun to examine the extremely delicate problem of drafting Health Conventions on problems which extend beyond national limits and become questions of international public health. We have already referred to the Conventions dealing with sleeping sickness. We should also mention the draft Convention due to Dr. Norman White, Chief Commissioner of the Epidemic Commission, regarding Far Eastern countries. The Governments concerned have been invited to notify their observations on this draft. The Committee is also considering a proposal of the Netherlands Government relating to *libre pratique*, that is, the exemption of vessels which have received health certificates in a properly equipped port from further sanitary inspection when they touch other ports. The Health Committee has set up a sub-Committee to study the proposal, but the moment would not seem to have arrived for the general application of such a procedure. Nevertheless, the Committee has recommended to the Council that it should make representation to

Governments for the conclusion of the partial sanitary agreements which may result from the practical application of the Dutch proposal. It should be pointed out in this connection that, as the new text of the 1912 International Health Convention is to be discussed by an international Conference, the Health Committee has, through the Council, drawn attention to the importance of convening this Conference as soon as possible, and has suggested that the Governments concerned should be invited to consider the possibility of authorising the Advisory Council of the Health Organisation (the Permanent Committee of the Office international d'Hygiène publique) to act as a Conference for the purpose of the conclusion of this Convention.

Moreover, a model Health Convention regulating traffic on waterways of international concern is now under consideration. It is the result of the collaboration of the Health Committee with the Advisory Committee for Communications and Transit. At the present moment further collaboration with the International Labour Office is being discussed. The question which is being examined is that of instituting at Geneva a series of study courses on the medical inspection of labour. These study courses would be followed by a study tour in England, Belgium and the Netherlands. The participants could thus obtain an insight into three different types of inspection.

The final diplomatic signatures are at present being exchanged for the ratification of the Health Convention concluded between Austria and the Kingdom of the Serbs, Croats and Slovenes. This Convention is the last of the series of seven drafted as a result of the Sanitary Conference held in Warsaw in March 1922 with the technical assistance of the Health Organisation. These Conventions form in the East of Europe a veritable sanitary barrier, the object of which is to prevent any return to the disastrous state of affairs prevailing before they were concluded.

The Health Committee has continued its important work on the standardisation of sera and biological products, the early results of which met with the approval of previous Assemblies. These are very complex questions calling for detailed and prolonged laboratory work. For fuller details (the interest of these questions being, above all, medical) I beg to refer to my report to the Second Committee.

This was the work of the Health Organisation throughout last year, and the rapid survey I have made reveals no features of uncertain value.

It remains for me to direct attention to certain recommendations made during the discussions of the Committee, which met with the unanimous approval of the latter, and which form the subject of resolutions which the Committee is submitting to the Assembly.

The Committee hopes that the Health Committee will pay special attention to the study, development and extension of physical training, and to the question of the adoption of rational methods of physical education.

I was pleased to note that the Committee adopted in this matter the proposal I had had the honour to submit to it and which was supported by all my colleagues.

Physical education is the means by which resistance to pathogenic agents is augmented, and the social output of the whole world is increased

for the benefit of each nation and the whole world.

A proposal has been submitted in the name of his Government by Professor Pflümic, Delegate of the Kingdom of the Serbs, Croats and Slovenes, which the Committee recommends the Health Committee to study. The proposal is that the Committee be requested to undertake, with reference to the campaign against tuberculosis, an enquiry similar to that already conducted by it in respect of malaria and other diseases.

The Second Committee recommends that the Health Committee be requested to undertake an enquiry as to the value of preventive measures against tuberculosis, taking into account the proposition presented by the Government of the Kingdom of the Serbs, Croats and Slovenes.

As rapporteur to the Committee, I have had the honour of pointing out how undesirable it would be to curtail the estimates drawn up by the Health Committee with a view to carrying out certain portions of its programme, more especially the development of special enquiries and of the interchanges of public health personnel. In this connection, of course, there is no intention whatever of encroaching on the functions of the Fourth Committee.

The British Delegate emphasised the fact that special enquiries were perhaps the most important of the activities of the Committee. The Japanese Delegate strongly supported the motion for credits for the purpose of interchanges and reminded the Committee of a passage in Viscount Ishii's report, which was adopted by the Council, emphasising the importance which the Council attaches to continuing the interchanges on a regular system. The Japanese Delegate was supported by the Brazilian, French and Italian Delegates.

In conclusion, I have to bring before the Assembly a recommendation of the Second Committee requesting the Health Committee to communicate to the Permanent Committee of the Paris Office international d'Hygiène publique the report setting out the questions with which the Health Committee proposes to deal (which is referred to in Article 4 of the *Règlement intérieur*, at such a date as to permit the Committee to make, before the next Assembly, any observations to the Health Committee which appear to it desirable.

ANNEX VII.—*Report of the First and Third Committees regarding Arbitration, Security and Reduction of Armaments.* (Rapporteurs: M. Politis and M. Bénès)

I—INTRODUCTION.

After being examined for several years by the Third Committee, the problem of the reduction of armaments has this year suddenly assumed a different, a wider and even an unexpected form.

Last year a draft Treaty of Mutual Assistance was prepared, which the Assembly sent to the Members of the League for their consideration. The replies from the Governments were to be examined by the Fifth Assembly.

At the very beginning of its work, however, after a memorable debate, the Assembly indicated to the Third Committee a new path. On 6th

September 1924, on the proposal of the Prime Ministers of France and Great Britain, M. Edouard Herriot and Mr. Ramsay MacDonald, the Assembly adopted the following resolution:—

“The Assembly,

“Noting the declarations of the Governments represented, observes with satisfaction that they contain the basis of an understanding tending to establish a secure peace;

“Decides as follows:

“With a view to reconciling in the new proposals the divergences between certain points of view which have been expressed and, when agreement has been reached, to enable an international conference upon armaments to be summoned by the League of Nations at the earliest possible moment:

“(1) The Third Committee is requested to consider the materials dealing with security and the reduction of armaments, particularly the observations of the Governments on the draft Treaty of Mutual Assistance, prepared in pursuance of Resolution XIV of the Third Assembly and other plans prepared and presented to the Secretary-General since the publication of the draft Treaty, and to examine the obligations contained in the Covenant of the League in relation to the guarantees of security which a resort to arbitration and a reduction of armaments may require:

“(2) The First Committee is requested:

“(a) To consider, in view of possible amendments, the articles in the Covenant relating to the settlement of disputes;

(b) To examine within what limits the terms of Article 36, para. 2 of the Statute establishing the Permanent Court of International Justice might be rendered more precise and thereby facilitate the more general acceptance of the clause;

and thus strengthen the solidarity and the security of the nations of the world by settling by pacific means all disputes which may arise between States.”

This resolution had two merits: first, that of briefly summarising all the investigations made in the last four years by the different organisations of the League in their efforts to establish peace and bring about the reduction of armaments, and secondly, that of indicating the programme of work of the Committee in the hope that, with the aid of past experience, they would at last attain the end in view.

The Assembly had assigned to each Committee a distinct and separate task; to the First Committee, the examination of the pacific settlement of disputes by methods capable of being applied in every case; to the Third Committee, the question of the security of nations considered as a necessary preliminary condition for the reduction of their armaments.

Each Committee, after a general discussion which served to detach the essential elements from the rest of the problem, referred the

examination of its programme to a sub-Committee, which devoted a large number of meetings to this purpose.

The proposals of the sub-Committees then led to very full debates by the Committees, which terminated in the texts analysed below.

As, however, the questions submitted respectively to the two Committees form part of an indivisible whole, contact and collaboration had to be established between the Committees by means of a mixed Committee of nine members and finally by a joint drafting Committee of four members.

For the same reason, the work of the Committees has resulted in a single draft protocol accompanied by two draft resolutions for which the Committees are jointly responsible.

Upon these various texts, separate reports were submitted, which being approved by the Committees respectively responsible for them, may be considered as an official commentary by the Committees.

These separate reports have been combined in order to present as a whole the work accomplished by the two Committees and to facilitate explanation.

Before entering upon an analysis of the proposed texts, it is expedient to recall, in a brief historical summary, the efforts of the last four years, of which the texts are the logical conclusion.

HISTORICAL STATEMENT.

The problem of the reduction of armaments is presented in Article 8 of the Covenant in terms which reveal at the outset the complexity of the question and which explain the tentative manner in which the subject has been treated by the League of Nations in the last few years.

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

Here we see clearly expressed the need of reducing the burden which armaments imposed upon the nations immediately after the war and of putting a stop to the competition in armaments, which was, in itself, a threat to the peace of the world. But, at the same time, there is recognised the duty of safeguarding the national security of the Members of the League and of safeguarding it, not only by the maintenance of a necessary minimum of troops, but also by the co-operation of all the nations, by a vast organisation for peace.

Such is the meaning of the Covenant, which, while providing for reduction of armaments properly so-called, recognises at the same time the need of *common action*, by all the Members of the League, with a view to compelling a possible disturber of the peace to respect his *international obligations*.

Thus, in this first paragraph of Article 8, which is so short but so pregnant, mention is made of all the problems which have engaged the attention of our predecessors and ourselves and which the present Assembly has specially instructed us to solve, the problems of *collective security* and the *reduction of armaments*.

Taking up Article 8 of the Covenant, the First Assembly had already outlined a programme. At its head it placed a pronouncement of the Supreme Council:

"In order to diminish the economic difficulties of Europe, armies should everywhere be reduced to a peace footing. Armaments should be limited to the lowest possible figure compatible with national security."

The Assembly also called attention to a resolution of the International Financial Conference of Brussels held a short time before:

"Recommending to the Council of the League of Nations the desirability of conferring at once with the several Governments concerned with a view to securing a general reduction of the crushing burdens which, on their existing scale, armaments still impose on the impoverished peoples of the world, sapping their resources and imperilling their recovery from the ravages of war."

It also requested its two Advisory Commissions to set to work at once to collect the necessary information regarding the problem referred to in Article 8 of the Covenant.

From the beginning the work of the Temporary Mixed Commission and of the Permanent Advisory Commission revealed the infinite complexity of the question.

The Second Assembly limited its resolutions to the important, but none the less (if one may say so) secondary, questions of traffic in arms and their manufacture by private enterprise. It only touched upon the questions of military expenditure and budgets in the form of recommendations and, as regards the main question of reduction of armaments, it confined itself to asking the Temporary Mixed Commission to formulate a definite scheme.

It was between the Second and Third Assemblies that the latter Commission, which was beginning to get to grips with the various problems, revealed their constituent elements. In its report it placed on record that:

"The memory of the world war was still maintaining in many countries a feeling of insecurity, which was represented in the candid statements in which, at the request of the Assembly, several of them had put forward the requirements of their national security, and the geographical and political considerations which contributed to shape their policy in the matter of armaments."

At the same time, however, the Commission stated:

"Consideration of these statements as a whole has clearly revealed not only the sincere desire of the Governments to reduce national armaments and the corresponding expenditure to a minimum, but also the importance of the results achieved. These facts—according to the Commission—are indisputable, and are confirmed, moreover, by the replies received from

Governments to the Recommendation of the Assembly regarding the limitation of military expenditure."

That is the point we had reached *two years ago*; there was a *unanimous desire to reduce armaments*. Reductions, though as yet inadequate, had been begun, and there was a *still stronger desire to ensure the security of the world* by a stable and permanent organisation for peace.

That was the position which, after long discussions, gave rise at the *Third Assembly to the famous Resolution XIV* and at the *Fourth Assembly to the draft Treaty of Mutual Assistance*, for which we are now substituting the Protocol submitted to the Fifth Assembly.

What progress has been made during these four years?

Although the Treaty of Mutual Assistance was approved in principle by 18 Governments, it gave rise to certain misgivings. We need only recall the most important of these, hoping that a comparison between them and an analysis of the new scheme will demonstrate that the First and Third Committees have endeavoured, with a large measure of success, to dispose of the objections raised and that the present scheme consequently represents an immense advance on anything that has hitherto been done.

In the first place, a number of Governments or delegates to the Assembly argued that the guarantees provided by the draft Treaty of Mutual Assistance did not imply with sufficient definiteness the reduction of armaments which is the ultimate object of our work.

The idea of the Treaty was to give effect to Article 8 of the Covenant, but many persons considered that it did not, in fact, secure the automatic execution of that article. Even if a reduction of armaments was achieved by its means, the amount of the reduction was left, so the opponents of the Treaty urged, to the estimation of each Government, and there was nothing to show that it would be considerable.

With equal force many States complained that no provision had been made for the development of the *juridical and moral elements of the Covenant* by the side of material guarantees. The novel character of the charter given to the nations in 1919 lay essentially in the advent of a moral solidarity which foreshadowed the coming of a new era. That principle ought to have, as its natural consequence, *the extension of arbitration and international jurisdiction*, without which no human society can be solidly grounded. A considerable portion of the Assembly asked that efforts should also be made in this direction. The draft Treaty seemed from this point of view to be insufficient and ill-balanced.

Finally, the articles relating to partial treaties gave rise, as you are aware, to certain objections. Several Governments considered that they would lead to the establishment of groups of Powers animated by hostility towards other Powers or groups of Powers and that they would cause political tension. The absence of the barriers of compulsory arbitration and judicial intervention was evident here as everywhere else.

Thus, by a logical and gradual process, there was elaborated the system at which we have now arrived.

The reduction of armaments required by the Covenant and demanded by the general situation of the world to-day led us to consider the question of security as a necessary complement to disarmament.

The support demanded from different States by other States less favourably situated had placed the former under the obligations of asking for a sort of moral and legal guarantee that the States which have to be supported would act in perfect good faith and would always endeavour to settle their disputes by pacific means.

It became evident, however, with greater clearness and force than ever before, that if the security and effective assistance demanded in the event of aggression was the *condition sine qua non* of the reduction of armaments, it was at the same time the necessary complement of the pacific settlement of international disputes, since the non-execution of a sentence obtained by pacific methods of settlement would necessarily drive the world back to the system of armed force. Sentences imperatively required sanctions or the whole system would fall to the ground.

Arbitration was therefore considered by the Fifth Assembly to be the necessary third factor, the complement of the two others with which it must be combined in order to build up the new system set forth in the Protocol.

Thus, after five years' hard work, we have decided to propose to the Members of the League the present system of arbitration, security and reduction of armaments—a system which we regard as being complete and sound.

That is the position with which the Fifth Assembly has to deal to-day. The desire to arrive at a successful issue is unanimous. A great number of the decisions adopted in the past years had met with general approval. There was a thoroughly clear appreciation of the undoubted gaps which had to be filled and of the reasonable apprehensions which had to be dissipated. Conditions were therefore favourable for arriving at an agreement.

An agreement has been arrived at on the basis of the draft Protocol which is now submitted to you for consideration.

II.—ANALYSIS OF THE SCHEME.

1.—WORK OF THE FIRST COMMITTEE.

(Report by M. Politis.)

Draft Protocol for the Pacific Settlement of International Disputes.

Preamble.

The object of the Protocol, which is based upon the resolution of 6th September 1924, is to facilitate the reduction and limitation of armaments provided for in Article 8 of the Covenant of the League of Nations by guaranteeing the security of States through the development of methods for the pacific settlement of all international disputes and the effective condemnation of aggressive war.

These general ideas are summarised in the preamble of the Protocol.

COMPULSORY ARBITRATION.

(Articles 1 to 7, 10, 16, 18 and 19 of the Protocol.)

1. INTRODUCTION.

Compulsory arbitration is the fundamental basis of the proposed system. It has seemed to be the only means of attaining the ultimate aim pursued by the League of Nations, viz., the establishment of a pacific and legal order in the relations between peoples.

The realisation of this great ideal, to which humanity aspires with a will which has never been more strongly affirmed, pre-supposes, as an indispensable condition, the elimination of war, the extension of the rule of law and the strengthening of the sentiment of justice.

The Covenant of the League of Nations erected a wall of protection around the peace of the world, but it was a first attempt at international organisation, and it did not succeed in closing the circle sufficiently thoroughly to leave no opening for war. It reduced the number of possible wars. It did not condemn them all. There were some which it was forced to tolerate. Consequently, there remained in the system which it established numerous fissures, which constituted a grave danger to peace.

The new system of the Protocol goes further. It closes the circle drawn by the Covenant; it prohibits all wars of aggression. Henceforth no purely private war between nations will be tolerated.

This result is obtained by strengthening the pacific methods of procedure laid down in the Covenant. The Protocol completes them and extends them to all international disputes without exception, by making arbitration compulsory.

In reality, the word "arbitration" is used here in a somewhat different sense from that which it has generally had up to now. It does not exactly correspond with the definition given by the Hague Conferences which, codifying a century-old custom, saw in it "the settlement of disputes between States by judges of their own choice and on the basis of respect for law" (Article 37 of the Convention of 18th October 1907 for the Pacific Settlement of International Disputes).

The arbitration which is now contemplated differs from this classic arbitration in various respects:—

- (a) It is only part of a great machinery of pacific settlement. It is set up under the auspices and direction of the Council of the League of Nations.
- (b) It is not only an instrument for the administration of justice. It is, in addition and above all, an instrument of peace. The arbitrators must, no doubt, seek in the first place to apply the rules and principles of international law. This is the reason why, as will be seen below, they are bound to consult the Permanent Court of International Justice if one of the parties so requests. But if international law furnishes no rule or principle applicable to the particular case, they cannot, like ordinary arbitrators, refuse to give a decision. They are bound to proceed

on grounds of equity, for in our system arbitration is always of necessity to lead to a definitive solution of the dispute. This is not to be regretted, for to ensure the respect of law by nations it is necessary first that they should be assured of peace.

- (c) It does not rest solely upon the loyalty and good faith of the parties. To the moral and legal force of an ordinary arbitration is added the actual force derived from the international organisation of which the kind of arbitration question forms one of the principal elements; the absence of a sanction which has impeded the development of compulsory arbitration is done away with under our system.

In the system of the Protocol, the obligation to submit disputes to arbitration is sound and practical because it has always a sanction. Thanks to the intervention of the Council, its application is automatically ensured; in no case can it be thrown on one side through the ill-will of one of the disputant States. The awards to which it leads are always accompanied by a sanction, adapted to the circumstances of the case, and more or less severe according to the degree of resistance offered to the execution of the sentence.

2. NATURE OF THE RULES OF THE PROTOCOL.

Article 19.

The rules laid down in the Protocol do not all have the same scope or value for the future.

As soon as the Protocol comes into force, its provisions will become compulsory as between the signatory States, and in its dealings with them the Council of the League of Nations will at once be able to exercise all the rights and fulfil all the duties conferred upon it.

As between the States Members of the League of Nations, the Protocol may in the first instance create a dual regime, for, if it is not immediately accepted by them all, the relations between signatories and non-signatories will still be governed by the Covenant alone, while the relations between signatories will be governed by the Protocol as well.

But this situation cannot last. Apart from the fact that it may be hoped that all Members of the League will adhere to it, the Protocol is in no sense designed to create among the States which accept it a restricted League susceptible of competing with or opposing in any way the existing League. On the contrary, such of its provisions as relate to articles of the Covenant will, as soon as possible, be made part of the general law by amendment of the Covenant effected in accordance with the procedure for revision laid down in Article 26 thereof. The signatory States which are Members of the League of Nations undertake to make every effort to this end.

When the Covenant has been amended in this way, some parts of the Protocol will lose their value as between the said States: some of them will have enriched the Covenant, while others, being temporary in character, will have lost their object.

The whole Protocol will remain applicable to relations between signatory States which are Members of the League of Nations and signatory States outside the League, or between States coming within the latter category.

It should be added that, as the League realises its aim of universality, the amended Covenant will take the place, as regards all States, of the separate regime of the Protocol.

3. CONDEMNATION OF AGGRESSIVE WAR.

Article 2.

The general principle of the Protocol is the prohibition of aggressive war.

Under the Covenant, while the old unlimited right of States to make war is restricted, it is not abolished. There are cases in which the exercise of this right is tolerated; some wars are prohibited and others are legitimate.

In future the position will be different. In no case is any State signatory of the Protocol entitled to undertake on its own sole initiative an offensive war against another signatory State or against any non-signatory State which accepts all the obligations assumed by the signatories under the Protocol.

The prohibition affects only aggressive war. It does not, of course, extend to defensive war. The right of legitimate self-defence continues, as it must, to be respected. The State attacked retains complete liberty to resist by all means in its power any acts of aggression of which it may be the victim. Without waiting for the assistance which it is entitled to receive from the international community, it may and should at once defend itself with its own force. Its interests are identified with the general interest. This is a point on which there can be no doubt.

The same applies when a country employs force with the consent of the Council or the Assembly of the League of Nations under the provisions of the Covenant and the Protocol. This eventuality may arise in two classes of cases: either a State may take part in the collective measures of force decided upon by the League of Nations in aid of one of its Members which is the victim of aggression, or a State may employ force with the authorisation of the Council or the Assembly in order to enforce a decision given in its favour. In the former case, the assistance given to the victim of aggression is indirectly an act of legitimate self-defence. In the latter, force is used in the service of the general interest, which would be threatened if decisions reached by a pacific procedure could be violated with impunity. In all these cases the country resorting to war is not acting on its private initiative but is in a sense the agent and the organ of the community.

It is for this reason that we have not hesitated to speak of the exceptional authorisation of war. It has been proposed that the word "force" should be used in order to avoid any mention of "war"—in order to spare the public that disappointment which it might feel when it found that, notwithstanding the solemn condemnation of war, war was still authorised in exceptional cases. We preferred, however, to recognise the position frankly by retaining the expression "resort to war" which is used in the Covenant. If we said "force" instead of "war," we should not be altering the facts in

any way. Moreover, the confusion that war is still possible in specific cases has a certain value, because the term describes a definite and well-understood situation, whereas the expression "resort to force" would be liable to be misunderstood, and also because it emphasises the value of the sanctions at the disposal of the community of States bound by the Protocol.

4. COMPULSORY JURISDICTION OF THE PERMANENT COURT OF INTERNATIONAL JUSTICE.

Article 3.

The general principles of the Protocol could not be accepted unless the pacific settlement of all international disputes without distinction were made possible.

This solution has been found, in the first place, in the extension of the compulsory jurisdiction of the Permanent Court of International Justice.

According to its Statute, the jurisdiction of the Court is, in principle, optional. On the other hand, Article 36, para. 2, of the Statute offers States the opportunity of making the jurisdiction compulsory in respect of all or any of the classes of legal disputes affecting (a) the interpretation of a Treaty; (b) any question of international law; (c) the existence of any fact which, if established, would constitute a breach of an international obligation; (d) the nature or extent of the reparation to be made for the breach of an international obligation. States have only to declare their intention through the special Protocol annexed to the Statute. The undertaking then holds good in respect of any other State which assumes the same obligation. It may be given either unconditionally or on condition of reciprocity on the part of several or certain other States; either permanently or for a fixed period.

So far such compulsory jurisdiction has only been accepted by a small number of countries. Most States, more particularly the Great Powers, have abstained because they did not see their way to accept compulsory jurisdiction by the Court in certain cases falling within one or another of the classes of disputes enumerated above, and because they were not sure whether, in accepting, they could make reservations to that effect.

It was for this reason that the Assembly in its resolution of 6th September requested the First Committee to render more precise the terms of Article 36, para. 2, in order to facilitate its acceptance.

Careful consideration of the Article has shown that it is sufficiently elastic to allow of all kinds of reservations. Since it is open to the States to accept compulsory jurisdiction by the Court in respect of certain of the classes of disputes mentioned and not to accept it in respect of the rest, it is also open to them only to accept it in respect of a portion of one of those classes; if the maximum is optional so is the minimum. In giving the undertaking in question, therefore, they are free to state that it will not be regarded as operative in those cases in which they consider it to be inadmissible.

We can imagine possible and therefore legitimate reservations either in connection with a certain class of dispute or, generally speaking,

in regard to the precise stage at which the dispute may be laid before the Court. While we cannot here enumerate all the conceivable reservations, it may be worth while to mention merely as examples those to which we referred in the course of our discussions.

From the class of disputes relating to "the interpretation of a treaty" there may be excluded, for example, disputes as to the interpretation of certain specified classes of treaty such as political treaties, peace treaties, &c.

From the class of disputes relating to "any point of international law" there may be excluded, for example, disputes as to the application of a political treaty, a peace treaty, &c., or as to any specified question or disputes which might arise as the outcome of hostilities initiated by one of the signatory States with the consent of the Council or the Assembly of the League of Nations.

Again, there are many possible reservations as to the precise stage at which a dispute may be laid before the Court. The most far-reaching of these would be to make the resort to the Court in connection with every dispute in respect of which its compulsory jurisdiction is recognised contingent upon the establishment of an agreement for submission of the case which, failing agreement between the parties, would be drawn up by the Court itself, the analogy of the provisions of the Hague Convention of 1907 dealing with the Permanent Court of Arbitration being thus followed.

It might also be stated that the recognition of the compulsory jurisdiction of the Court does not prevent the parties to the dispute from agreeing to resort to a preliminary conciliation procedure before the Council of the League of Nations or any other body selected by them, or to submit their disputes to arbitration in preference to going before the Court.

A State might also, while accepting compulsory jurisdiction by the Court, reserve the right of laying disputes before the Council of the League with a view to conciliation in accordance with paras. 1-3 of Article 15 of the Covenant, with the proviso that neither party might, during the proceedings before the Council, take proceedings against the other in the Court.

It will be seen, therefore, that there is a very wide range of reservations which may be made in connection with the undertaking referred to in Article 36, para. 2. It is possible that apprehensions may arise lest the right to make reservations should destroy the practical value of the undertaking. There seems, however, to be no justification for such misgivings. In the first place, it is to be hoped that every Government will confine its reservations to what is absolutely essential. Secondly, it must be recognised that, however restrictive the scope of the undertaking may be, it will always be better than no undertaking at all.

The fact that the signatory States undertake to accede, even though it be with reservations, to para. 2 of Article 36 may therefore be held to constitute a great advance.

Such accession must take place at latest within the month following upon the coming into force or subsequent acceptance of the Protocol.

It goes without saying that such accession in no way restricts the liberty which States possess, under the ordinary law, of concluding special agreements for arbitration. It is entirely

open to any two countries signatory of the Protocol which have acceded to para. 2 of Article 36, to extend still further, as between themselves, the compulsory jurisdiction of the Court, or to stipulate that before having recourse to its jurisdiction they will submit their disputes to a special procedure of conciliation, or even to lay down that, whether prior to or subsequent to the opening of the case, it shall be brought before a special tribunal of arbitrators or before the Council of the League of Nations rather than to the Court.

It is also certain that, up to the time of the coming into force or acceptance of the Protocol, accession to para. 2 of Article 36, which will thenceforth become compulsory, will still remain optional, and that if such accession has already taken place it will continue to be valid in accordance with the terms under which it was made.

The only point which may cause difficulty is the question, what is the effect of accessions given to the Protocol if the latter becomes null and void? It may be asked whether such accessions are to be regarded as so intimately bound up with the Protocol that they must disappear with it. The reply must be in the negative. The sound rule of interpretation of international treaties is that, unless there is express provision to the contrary, effects already produced survive the act from which they sprang.

The natural corollary is that any State which wishes to make the duration of its accession to Article 36 dependent on the duration of the Protocol must make an express stipulation to this effect. As Article 36 permits acceptance of the engagement in question for a specified term only, a State may, when acceding, stipulate that it only undertakes to be bound during such time as the Protocol shall remain in force.

5. STRENGTHENING OF PACIFIC METHODS OF PROCEDURE.

Article 4.

We have, in the second place, succeeded in making possible the pacific settlement of all disputes by strengthening the procedure laid down in the Covenant.

Article 4, para. 1.

Action by the Council with a view to reconciliation.—If a dispute does not come within the compulsory jurisdiction of the Permanent Court of International Justice and if the parties have been unable to come to an agreement to refer it to the Court or to submit it to arbitration, it should, under the terms of Article 15 of the Covenant, be submitted to the Council, which will endeavour to secure a settlement by reconciling the parties. If the Council's efforts are successful, it must, so far as it considers it advisable, make public a statement giving such facts and explanations regarding the dispute and the terms of settlement thereof as it may deem appropriate.

In this connection no change has been made in the procedure laid down by the Covenant. It appeared unnecessary to specify what particular procedure should be followed. The Council is given the utmost latitude in choosing the means most appropriate for the reconciliation of the

parties. It may take advice in various quarters; it may hear expert opinions; it may proceed to investigations or expert enquiries, whether by itself or through the intermediary of experts chosen by it; it may even, upon application by one of the parties, constitute a special conciliation committee. The essential point is to secure, if possible, a friendly settlement of the dispute; the actual methods to be employed are of small importance. It is imperative that nothing should in any way hamper the Council's work in the interests of peace. It is for the Council to examine the question whether it would be expedient to draw up for its own use and bring to the notice of the Governments of the signatory States general regulations of procedure applicable to cases brought before it and designed to test the goodwill of the parties with a view to persuading them more easily to reach a settlement under its auspices.

Experience alone can show whether it will be necessary to develop the rules laid down in the first three paragraphs of Article 15 of the Covenant.

For the moment it would appear to be expedient to make no addition and to have full confidence in the wisdom of the Council, it being understood that, whether at the moment in question or at any other stage of the procedure it will be open to the parties to come to an agreement for some different method of settlement: by way of direct understanding, constitution of a special committee of mediators or conciliators, appeal to arbitration or to the Permanent Court of International Justice.

The new procedure set up by the Protocol will be applicable only in the event of the Council's failing in its efforts at reconciliation and of the parties failing to come to an understanding in regard to the method of settlement to be adopted.

In such case, before going further, the Council must call upon the parties to submit their dispute to judicial settlement or to arbitration.

It is only in the case where this appeal—which the Council will make in the manner which appears to it most likely to secure a favourable hearing—is not listened to that the procedure will acquire the compulsory character which is necessary to make certain the final settlement of all disputes.

There are three alternatives:—

- (a) Compulsory arbitration at the request of one of the parties;
- (b) A unanimous decision by the Council;
- (c) Compulsory arbitration enjoined by the Council.

Appropriate methods are laid down for all three cases.

Article 4, para. 2.

First case of compulsory arbitration.—If the parties, being called upon by the Council to submit their dispute to a judicial or arbitral settlement, do not succeed in coming to an agreement on the subject, there is no question of optional arbitration, but if a single party desires arbitration, arbitration immediately becomes compulsory.

The dispute is then *ipso facto* referred to a Committee of Arbitrators, which must be constituted within such time limit as the Council shall fix.

Full liberty is left to the parties themselves to constitute this Committee of Arbitrators. They may agree between themselves in regard to the number, names and powers of the arbitrators and the procedure. It is to be understood that the word "powers" is to be taken in the widest sense, including *inter alia*, the question to be put.

It was not considered desirable to develop this idea further. It appeared to be sufficient to state that any result which could be obtained by means of an agreement between the parties was preferable to any other solution.

It also appeared inexpedient to define precisely the powers which should be conferred upon the arbitrators. This is a matter which depends upon the circumstances of each particular case. According to the case, the arbitrators, as is said above, may fill the rôle of judges giving decisions of pure law or may have the function of arranging an amicable settlement with power to take account of considerations of equity.

It has not been thought necessary to lay this down in the form of a rule. It has appeared preferable to leave it in each case to the parties to agree between themselves to decide the matter according to the circumstances of the case.

Nevertheless, consideration has been given to the possibility that the arbitrators need not necessarily be jurists. It has therefore been decided that, when called upon to deal with points of law, they shall, if one of the parties so desires, request, through the medium of the Council, the advisory opinion of the Permanent Court of International Justice, which must, in such a case, meet with the utmost possible despatch. The opinion of the Court is obtained for the assistance of the arbitrators; it is not legally binding upon them, although its scientific authority must, in all cases, exercise a strong influence upon their judgment. With a view to obviating too-frequent abuse of consultations of this kind, it is understood that the opinion of the Court in regard to disputed points of law can only be asked on a single occasion in the course of each case.

The extension which, in the new system of pacific settlement of disputes, has been given to the advisory procedure of the Court has suggested the idea that it might be desirable to examine whether, even in such cases, it might not be well to adopt the system of adding national judges which at present only obtains in litigious proceedings, and also that of applying to the advisory procedure the provisions of Article 24 of the Statute of the Court relating to withdrawal of judges.

If the parties have not been able to come to an understanding on all or on some of the points necessary to enable the arbitration to be carried out, it lies with the Council to settle the unsettled points, with the exception of the formulation of the questions to be answered, which the arbitrators must seek in the claims set out by the parties or by one of them if the others make default.

In cases where the selection of arbitrators thus falls upon the Council, it has appeared necessary—however much confidence may be

felt in the Council's wisdom—to lay down for the selection of the arbitrators certain rules calculated to give the arbitration the necessary moral authority to ensure that it will in practice be respected.

The first rule is that the Council shall, before proceeding to the selection of arbitrators, have regard to the wishes of the parties. It was suggested that this idea should be developed by conferring on the parties the right to indicate their preferences and to challenge a certain number of the arbitrators proposed by the Council.

This proposal was set aside on account of the difficulty of laying down detailed regulations for the exercise of this double right. But it is understood that the Council will have no motive for failing to accept the candidates proposed to it by the different parties nor for imposing upon them arbitrators whom they might wish to reject, nor, finally, for failing to take into account any other suggestion which the parties might wish to make. It is indeed evident that the Council will always be desirous of acting in the manner best calculated to increase to the utmost degree the confidence which the Committee of Arbitrators should inspire in the parties.

The second rule is based on the same point of view. It lays down the right of the Council to select the arbitrators and their president from among persons who, by their nationality, their personal character and their experience, appear to furnish the highest guarantees of competence and impartiality.

Here, too, experience will show whether it would be well for the Council to draw up general regulations for the composition and functioning of the compulsory arbitration now in question and of that above referred to, and for the conciliation procedure in the Council itself, regulations which would be made for the Council's own use, but would be communicated to the Governments of the signatory States.

Article 4, para. 3.

Unanimous decision by the Council.—If arbitration is refused by both parties, the case will be referred back to the Council, but this time it will acquire a special character. Refusal of arbitration implies the consent of both parties to a final settlement of the dispute by the Council. It implies recognition of an exceptional jurisdiction of the Council. It denotes that the parties prefer the Council's decision to an arbitral award.

Resuming the examination of the question, the Council has not only the latitude which it customarily possesses. It is armed with full powers to settle the question finally and irrevocably if it is unanimous. Its decision, given unanimously by all the Members other than those representing parties to the dispute, is imposed upon the parties with the same weight and the same force as the arbitration award which it replaces.

Article 4, para. 2.

Second case of compulsory arbitration.—If the Council does not arrive at a unanimous decision, it has to submit the dispute to the judgment of a Committee of Arbitrators, but this time, owing to the parties being deemed to have handed their case over to the Council, the

organisation of the arbitration procedure is taken entirely out of their hands. It will be for the Council to settle all the details, the composition, the powers and the procedure of the Committee of Arbitrators. The Council is, of course, at liberty to hear the parties, and even to invite suggestions from them, but it is under no obligation to do so. The only regulation with which it must comply is that, in the choice of arbitrators, it must bear in mind the guarantees of competence and impartiality which, by their nationality, their personal character and their experience, these arbitrators must always furnish.

Article 4, para. 6.

Effect of, and sanction enforcing, decisions.—Failing a friendly arrangement, we are, thanks to the system adopted, in all cases certain of arriving at a final solution of a dispute, whether in the form of a decree of the Permanent Court of International Justice or in the form of an arbitral award or, lastly, in the form of a unanimous decision of the Council.

To this solution the parties are compelled to submit. They must put it into execution or conform to it in good faith.

If they do not do so, they are breaking an engagement entered into towards the other signatories of the Protocol, and this breach involves consequences and sanctions according to the degree of gravity of the case.

If the recalcitrant party confines itself to offering passive resistance to the solution arrived at, it will first be the object of pacific pressure from the Council, which must exercise all its influence to persuade it to respect its engagements. If the Council is unsuccessful, it must propose measures calculated to ensure effect being given to the decision.

On this point the Protocol has been guided solely by the regulation contained at the end of Article 13 of the Covenant. The Council may thus institute against the recalcitrant party collective sanctions of an economic and financial order. It is to be supposed that such sanctions will prove sufficient. It has not appeared possible to go further and to employ force against a State which is not itself resorting to force. The party in favour of which the decision has been given might, however, employ force against the recalcitrant party if authorised to do so by the Council.

But if the State against which the decision has been given takes up arms in resistance thereto, thereby becoming an aggressor against the combined signatories, it deserves even the severe sanctions provided in Article 16 of the Covenant, interpreted in the manner indicated in the present Protocol.

Sphere of application of methods of pacific procedure.—Necessary as the system which we have laid down is for the purpose of ensuring settlement of all disputes, in applying it, the pacific aim which underlies it must be the only guide. It must not be diverted to other purposes and used as an occasion for chicanery and tendentious proceedings by which the cause of peace would lose rather than gain.

A few exceptions to the rule have also had to be made in order to preserve the elasticity of the system. These are cases in which the claimant must be non-suited, the claim being

one which has to be rejected *in limine* by the Council, the Permanent Court of International Justice or the arbitrators, as the case may be.

The disputes to which the system will not apply are of three kinds:

Article 4, para. 5.

1. The first concerns disputes relating to questions which, at some time prior to the entry into force of the Protocol, have been the subject of a unanimous recommendation by the Council accepted by one of the parties concerned. It is essential to international order and to the prestige of the Council that its unanimous recommendations, which confer a right upon the State accepting them, shall not be called into question again by means of a procedure based upon compulsory arbitration. Failing a friendly arrangement, the only way which lies open for the settlement of disputes to which these recommendations may give rise is recourse to the Council in accordance with the procedure at present laid down in the Covenant.

Article 4, para. 7.

2. The same applies to disputes which arise as the result of measures of war taken by one or more signatory States in agreement with the Council or the Assembly of the League of Nations. It would certainly not be admissible that compulsory arbitration should become a weapon in the hands of an enemy to the community to be used against the freedom of action of those who, in the general interest, seek to impose upon that enemy respect for his engagements.

In order to avoid all difficulty of interpretation, these first two classes of exceptions have been formally stated in the Protocol.

3. There is a third class of disputes to which the new system of pacific settlement can also not be applied. These are disputes which aim at revising treaties and international acts in force, or which seek to jeopardise the existing territorial integrity of signatory States. The proposal was made to include these exceptions in the Protocol, but the two Committees were unanimous in considering that, both from the legal and from the political point of view, the impossibility of applying compulsory arbitration to such cases was so obvious that it was quite superfluous to make them the subject of a special provision. It was thought sufficient to mention them in this report.

6. RÔLE OF THE ASSEMBLY UNDER THE SYSTEM SET UP BY THE PROTOCOL.

Article 6.

The new procedure should be adapted to the old one, which gives the Assembly the same powers as the Council when a dispute is brought before it, either by the Council itself or at the request of one of the parties.

The question has arisen whether the system of maintaining in the new procedure this equality of powers between the two organisations of the League of Nations is a practical one. Some were of opinion that it would be better to exclude intervention by the Assembly. Finally, however, the opposite opinion prevailed; an appeal to the Assembly may, indeed, have an important influence from the point of view of public

opinion. Without going so far as to assign to the Assembly the same rôle as to the Council, it has been decided to adopt a mixed system by which the Assembly is, in principle, substituted for the Council in order that, when a dispute is referred to it in conformity with para. 9 of Article 15 of the Covenant, it may undertake, in the place of the Council, the various duties provided for in Article 4 of the present Protocol with the exception of purely executive acts, which will always devolve upon the Council. For example, the organisation and management of compulsory arbitration, or the transmission of a question to the Permanent Court of International Justice, must always be entrusted to the Council, because, in practice, the latter is the only body competent for such purposes.

The possible intervention of the Assembly does not affect in any way the final result of the new procedure. If the Assembly does not succeed in conciliating the parties and if one of them so requests, compulsory arbitration will be arranged by the Council in accordance with the rules laid down beforehand.

If none of the parties asks for arbitration, the matter is referred back to the Assembly, and if the solution recommended by the Assembly obtains the majority required under para. 10 of Article 15 of the Covenant, it has the same value as a unanimous decision of the Council.

Lastly, if the necessary majority is not obtained, the dispute is submitted to a compulsory arbitration organised by the Council.

In any event, as in the case where the Council alone intervenes, a definite and binding solution of the dispute is reached.

7. DOMESTIC JURISDICTION OF STATES.

Article 5.

The present Protocol in no way derogates from the rule of Article 15, para. 8, of the Covenant, which protects national sovereignty.

In order that there might be no doubt on this point, it appeared advisable to say so expressly.

Before the Council whatever be the stage in the procedure set up by the Protocol at which the Council intervenes, the provision referred to applies without any modification.

The rule is applied also to both cases of compulsory arbitration. If one of the States parties to the dispute claims that the dispute or part thereof arises out of a matter which by international law is solely within its jurisdiction, the arbitrators must on this point take the advice of the Permanent Court of International Justice through the medium of the Council, for the question thus put in issue is a legal question upon which a judicial opinion should be obtained.

The Court will thus have to give a decision as to whether the question in dispute is governed by international law or whether it falls within the domestic jurisdiction of the State concerned. Its functions will be limited to this point and the question will in any event be referred back to the arbitrators. But, unlike other opinions requested of the Court in the course of a compulsory arbitration—opinions which for the arbitrators are purely advisory—in the present case the opinion of the Court is compulsory in the sense that, if the Court has recognised that the question in dispute falls entirely within the

domestic jurisdiction of the State concerned, the arbitrators will simply have to register this conclusion in their award. It is only if the Court holds that the question in dispute is governed by international law that the arbitrators will again take the case under consideration in order to give a decision upon its substance.

The compulsory character of the Court's opinion, in this case, increases the importance of the double question referred to above, in connection with Article 4, relating to the calling-in of national judges, and the application of Article 24 of the Statute of the Court in matters of advisory procedure.

While the principle of Article 15, para. 8, of the Covenant is maintained, it has been necessary, in order to make its application more flexible, to call in aid the rule contained in Article 11 of the Covenant, which makes it the duty of the League of Nations, in the event of war or a threat of war, to "take any action that may be deemed wise and effective to safeguard the peace of nations," and obliges the Secretary-General to summon forthwith a meeting of the Council on the request of any Member of the League. It is in this way understood that when it has been recognised that a dispute arises out of a matter which is solely within the domestic jurisdiction of one of the parties, that party or its opponent will be fully entitled to call upon the Council or the Assembly to act.

There is nothing new in this simple reference to Article 11. It leaves unimpaired the right of the Council to take such action as it may deem wise and effectual to safeguard the peace of nations. It does not confer new powers or functions on either the Council or the Assembly. Both these organs of the League simply retain the powers now conferred upon them by the Covenant.

In order to dispel any doubt which may arise from the parallel which has been drawn between Article 15, para. 8, and Article 11 of the Covenant, a very clear explanation was given in the course of the discussion in the First Committee.

Where a dispute is submitted to the Council under Article 15 and it is claimed by one party that the dispute arises out of a matter left exclusively within its domestic jurisdiction by international law, para. 8 prevents the Council from making any recommendations upon the subject if it holds that the contention raised by the party is correct and that the dispute does in fact arise out of a matter exclusively within that State's jurisdiction.

The effect of this paragraph is that the Council cannot make any recommendation in the technical sense in which that term is used in Article 15, that is to say, it cannot make, even by unanimous report, recommendations which become binding on the parties in virtue of para. 6.

Unanimity for the purpose of Article 15 implies a report concurred in by all the Members of the Council other than the parties to the dispute. Given the measure of support indicated, a report is one which the parties to the dispute are bound to observe, in the sense that, if they resort to war with any party which complies with the recommendations, it will constitute a breach of Article 16 of the Covenant and will set in play the sanctions which are there referred to

On the other hand, Article 11 is of different scope: first, it operates only in time of war or threat of war; secondly, it confers no right on the Council or on the Assembly to impose any solution of a dispute without the consent of the parties. Action taken by the Council or the Assembly under this Article cannot become binding on the parties to the dispute in the sense in which recommendations under Article 15 become binding, unless they have themselves concurred in it.

One last point should be made clear. The reference which has been made to Article 11 of the Covenant holds good only in the eventuality contemplated in Article 15, para. 8, of the Covenant. It is obvious that when a unanimous decision of the Council or an arbitral award has been given upon the substance of a dispute, that dispute is finally settled and cannot again be brought either directly or indirectly under discussion. Article 11 of the Covenant does not deal with situations which are covered by rules of law capable of application by a judge. It applies only to cases which are not yet regulated by international law. Consequently, it demonstrates the existence of loop-holes in the law.

The reference to Article 11 in two of the articles of the Protocol (Articles 5 and 10) has advantages beyond those to which attention is drawn in the commentary on the text of those articles. It will be an incitement to science to clear the ground for the work which the League of Nations will one day have to undertake with a view to bringing about, through the development of the rules of international law, a closer reconciliation between the individual interests of its Members and the universal interests which it is designed to serve.

8. DETERMINATION OF THE AGGRESSOR.

Article 10.

In order that the procedure of pacific settlement may be accompanied by the necessary sanctions, it has been necessary to provide for determining exactly the State guilty of aggression to which sanctions are to be applied.

This question is a very complex one, and in the earlier work of the League the military experts and jurists who had had to deal with it found it extremely difficult.

There are two aspects to the problem: first, aggression has to be defined, and, secondly, its existence has to be ascertained.

The definition of aggression is a relatively easy matter, for it is sufficient to say that any State is the aggressor which resorts in a general manner to force in violation of the engagements contracted by it either under the Covenant (if, for instance, being a Member of the League of Nations, it has not respected the territorial integrity or political independence of another Member of the League) or under the present Protocol (if, for instance, being a signatory of the Protocol, it has refused to conform to an arbitral award or to a unanimous decision of the Council). This is the effect of Article 10, which also adds that the violation of the rules laid down for a demilitarised zone is to be regarded as equivalent to resort to war. The text refers to resort to

war, but it was understood during the discussion that, while mention was made of the most serious and striking instance, it was in accordance with the spirit of the Protocol that acts of violence and force, which possibly may not constitute an actual state of war, should nevertheless be taken into consideration by the Council.

On the contrary, to ascertain the existence of aggression is a very difficult matter, for although the first of the two elements which together constitute aggression, namely, the violation of an engagement, is easy to verify, the second, namely, resort to force, is not an easy matter to ascertain. When one country attacks another, the latter necessarily defends itself, and when hostilities are in progress on both sides, the question arises which party began them.

This is a question of fact concerning which opinions may differ.

The first idea which occurs to the mind is to make it the duty of the Council to determine who is the aggressor. But, immediately, the question arises whether the Council must decide this question unanimously, or whether a majority vote would suffice. There are serious disadvantages in both solutions and they are therefore unacceptable.

To insist upon a unanimous decision of the Council exposes the State attacked to the loss of those definite guarantees to which it is entitled if one single Member of the Council—be it in good faith or otherwise—insists on adhering to an interpretation of the facts different from that of all his colleagues. It is impossible to admit that the very existence of a nation should be subject to such a hazard. It is not sufficient to point out that the Council would be bound to declare the existence of aggression in an obvious case and that it could not fail to carry out its duty. The duty would be a duty without a sanction, and if by any chance the Council were not to do its duty, the State attacked would be deprived of all guarantees.

But it would also be dangerous to rely on a majority vote of the Council. In that case, the danger would be incurred by the State called upon to furnish assistance and to support the heavy burden of common action, if it still entertained some doubt as to the guilt of the country against which it had to take action. Such a country would run the risk of having to conform to a decision with which it did not agree.

The only escape from this dilemma appeared to lie in some automatic procedure which would not necessarily be based on a decision of the Council. After examining the difficulty and discussing it in all its aspects, the First Committee believes that it has found the solution in the idea of a presumption which shall hold good until the contrary has been established by a unanimous decision of the Council.

The Committee is of opinion that this presumption arises in three cases, namely, when a resort to war is accompanied:—

- By a refusal to accept the procedure of pacific settlement or to submit to the decision resulting therefrom;
- By violation of provisional measures enjoined by the Council as contemplated by Article 7 of the Protocol; or

By disregard of a decision recognising that the dispute arises out of a matter which lies exclusively within the domestic jurisdiction of the other party and by failure or by refusal to submit the question first to the Council or the Assembly.

In these cases, even if there is not absolute certainty, there exists at any rate a very strong presumption which should suffice for the application of sanctions unless proof to the contrary has been furnished by a unanimous decision of the Council.

It will be noticed that there is a characteristic difference between the first two cases and the third.

In the first two cases the presumption exists when, in addition to a state of war, the special condition referred to is also fulfilled.

In the third case, however, the presumption is dependent upon three conditions: disobedience to a decision, wilful failure to take advantage of the remedy provided in Article 11 of the Covenant, and the existence of a state of war.

This difference is due to the necessity of taking into account the provisions of Article 5 analysed above, which, by its reference to Article 11 of the Covenant, renders the application of para. 8 of Article 15 of the Covenant more flexible. After very careful consideration it appeared that it would be unreasonable and unjust to regard a *ipso facto* aggressor a State which, being prevented through the operation of para. 8 of Article 15 from urging its claims by pacific methods and being thus left to its own resources, is in despair driven to war.

It was considered to be more in harmony with the requirements of justice and peace to give such a State which has been non-suited on the preliminary question of the domestic jurisdiction of its adversary, a last chance of arriving at an amicable agreement by offering it the final method of conciliation prescribed in Article 11 of the Covenant. It is only if, after rejecting this method, it has recourse to war that it will be presumed to be an aggressor.

This attenuation of the rigid character of para. 8 of Article 15 has been accepted, not only because it is just, but also because it opens no breach in the barrier set up by the Protocol against aggressive war: it in no way infringes the principle—which remains unshaken—that a war undertaken against a State whose exclusive jurisdiction has been formally recognised is an international crime to be avenged collectively by the signatories of the Protocol.

When a State whose demands have been met with the plea of the domestic jurisdiction of its adversary has employed the resource provided for in Article 11 of the Covenant, the presumption of aggression falls to the ground. The aggression itself remains. It will be for the Council to decide who is responsible for the aggression in accordance with the procedure which will be described below.

Apart from the above cases, there exists no presumption which can make it possible automatically to determine who is the aggressor. But this fact must be determined, and, if no other solution can be found, the decision must be left to the Council. The same principle applies where one of the parties is a State which

is not a signatory of the Protocol and not a member of the League.

If the Council is unanimous, no difficulty arises. If, however, the Council is not unanimous, the difficulty may be overcome by deciding that the Council must enjoin upon the belligerents an armistice the terms of which it will fix if need be by a two-thirds majority and the party which rejects the armistice or violates it is to be held to be an aggressor.

The system is therefore complete and is as automatic as it can be made.

Where a presumption has arisen and is not rejected by a unanimous decision of the Council, the facts themselves decide who is an aggressor; no further decision by the Council is needed and the question of unanimity or majority does not present itself; the facts once established, the Council is bound to act accordingly.

Where there is no presumption, the Council has to declare the fact of aggression; a decision is necessary and must be taken unanimously. If unanimity is not obtained, the Council is bound to enjoin an armistice, and for this purpose no decision properly speaking has to be taken: there exists an obligation which the Council must fulfil; it is only the fixing of the terms of the armistice which necessitates a decision, and for this purpose a two-thirds majority suffices.

It was proposed to declare that, in case of extreme urgency, the Council might determine the aggressor or fix the conditions of an armistice, without waiting for the arrival of the representative which a party not represented among its members has been invited to send under the terms of para. 5 of Article 4 of the Covenant.

It seemed preferable, however, not to lay down any rule on this matter at present but to ask the special Committee which the Council is to appoint for the drafting of amendments to the Covenant on the lines of the Protocol to consider whether such a rule is really necessary.

It may in fact be thought that the Council already possesses all the necessary powers in this matter and that, in cases of extreme urgency, if the State invited to send a representative is too far distant from the seat of the Council, that body may decide that the representative shall be chosen from persons near at hand and shall attend the meeting within a prescribed period, on the expiry of which the matter may be considered in his absence.

The fact of aggression having been established by presumption or by unanimous decision of the Council or by refusal to accept or violation of the armistice, it will only remain to apply the sanctions and bring into play the obligations of the guarantor States. The Council will merely call upon them to fulfil their duty; here, again, there is no decision to be taken but an obligation to be fulfilled, and the question of majority or unanimous vote does not arise.

It is not, indeed, a matter of voting at all.

In order to leave no room for doubt, it has been formally laid down that a State which, at the invitation of the Council, engages in acts of violence against an aggressor is in the legal position of a belligerent and may consequently exercise the rights inherent in that character.

It was pointed out in the course of the discussion that such a State does not possess entire freedom of action. The force employed by it must be proportionate to the object in view and must be exercised within the limits and under the conditions recommended by the Council.

Article 18.

Likewise, in order to avoid any misunderstanding, it has been stipulated, in a special Article, that unanimity or the necessary majority in the Council is always calculated according to the rule referred to on several occasions in Article 15 of the Covenant and repeated in Article 16 of the Covenant for the case of expulsion of a Member from the League, *viz.*, without counting the votes of the representatives of the parties to the dispute.

9. DISPUTES BETWEEN STATES SIGNATORY AND STATES NON-SIGNATORY OF THE PROTOCOL.

Article 16.

As regards the settlement of disputes arising between a State signatory and one or more States non-signatory and non-Members of the League of Nations, the new system has had to be adapted to the former system.

In order that States signatory might enjoy the essential advantages offered by the Protocol, which forbids all wars of aggression, it has been necessary to bring the rule laid down in Article 17 of the Covenant into harmony with the provisions of the Protocol. It has therefore been decided that States non-signatory and non-Members of the League of Nations in conflict with a State signatory shall be invited to conform to the new procedure of pacific settlement and that, if they refuse to do so and resort to war against a State signatory, they shall be amenable to the sanctions provided by Article 16 of the Covenant as defined by the Protocol.

There is no change in the arrangements laid down in the Covenant for the settlement of disputes arising between States Members of the League of Nations of which one is a signatory of the Protocol and the other is not. The legal nexus established by the Covenant between two such parties do not allow the signatory States to apply as of right the new procedure of pacific settlement to non-signatory but Member States. All that signatory States are entitled to expect as regards such other States is that the Council should provide the latter with an opportunity to follow this procedure and it is to be hoped that they will do so. But such States can only be offered an opportunity to follow the new procedure; they cannot be obliged to follow it. If they refuse, preferring to adhere to the procedure laid down in the Covenant, no sanctions could possibly be applied to them.

The solution which has been indicated for States non-signatory but Members of the League of Nations appears to be so obvious as to require no special mention in the text. A proposal to make a special mention of the matter was made, but after explanations had been given, the authors withdrew their suggestion, declaring that they would be satisfied with the above reference to the subject.

At first sight the difference in the way it is proposed to treat non-signatories non-Members of the League of Nations and non-signatories

Members of the League may cause some surprise, for it would seem that the signatory States impose greater obligations on the first category than on the second. This, however, is only an appearance. In reality, the signatory States impose no obligations, on either category. They cannot do so because the present Protocol is *res inter alios acta* for all non-signatory States, whether they are Members of the League of Nations or not. The signatories merely undertake obligations as between themselves as to the manner in which they will behave if one of them becomes involved in a conflict with a third State. But whereas, in possible conflicts with a State non-signatory and non-Member of the League, they are entirely free to take such action as they choose, in conflicts which may arise between them and States non-signatory but members, like themselves, of the League of Nations, their freedom of action is to some extent circumscribed because both parties are bound by legal obligations arising under the Covenant.

2. WORK OF THE THIRD COMMITTEE.

(Rapporteur: M. BENES)

SECURITY AND REDUCTION OF ARMAMENTS.

(Articles 7 to 24 of the Protocol.)

1. INTRODUCTION.

The special work of the Third Committee was to deal with the problem of security (sanctions) and the reductions of armaments.

The work required, above all, important political negotiations. While the question of arbitration required simply a political decision of principle, namely, the acceptance of compulsory arbitration, and the remainder was principally a matter of drafting—without question an extremely difficult task—of a scheme for the application of such arbitration, the questions of security and disarmament necessitated long and laborious political negotiations; for they involved fundamental interests, questions of vital importance to the States, engagements so far-reaching as radically to change the general conditions of the various countries.

Although in the work of the First Committee the Assembly had distinctly indicated in its resolution of 6th September that there was a likelihood—indeed, a necessity—of amending the Covenant, the work of the Third Committee as regards questions of security and reduction of armaments had, in pursuance of the debates of the Assembly, to remain within the framework of the Covenant. Above all, it was a question of developing and specifying that which is already laid down in the Covenant. All our discussions, all our labours, were guided by these principles, and a delicate task was thus imposed upon us. But the spirit of conciliation which pervaded all the discussions has permitted us to resolve the two problems which were placed before us. This is, indeed, an important result, and if the solution of the problem of arbitration which has been so happily arrived at by the First Committee be also taken into consideration, we are in the presence of a system the adoption of which may entirely modify our present political life.

This is the real import of the articles of the Protocol concerning the questions of security and reduction of armaments.

2. THREAT OF AGGRESSION: PREVENTIVE MEASURES.

Article 7.

The pacific settlement of disputes being provided for in the present Protocol, the signatory States undertake, should any conflict arise between them, not to resort to preparations for the settlement of such dispute by war and, in general, to abstain from any act calculated to aggravate or extend the said dispute. This provision also applies to the period preceding the submission of the dispute to arbitration or conciliation, and to the period in which the case is pending.

This provision is not unaccompanied by sanctions. Any appeal against the violation of the aforesaid undertakings may, in conformity with Article 11 of the Covenant, be brought before the Council. One might say that, in addition to such primary dispute as is or might be submitted to the Council or to some other competent organ, a second dispute arises, caused by the violation of the undertakings provided for in the first paragraph.

The Council, unless it be of opinion that the appeal is not worthy of consideration, will proceed with the necessary enquiries and investigations. Should it be established that an offence has been committed against the provisions of the first paragraph it shall be the duty of the Council, in virtue of the results of such enquiries and investigations, to call upon the State guilty of the offence to remedy it. Any State refusing so to do will be declared by the Council to be guilty of violation of the Covenant (Article 11) and the Protocol. (By refusal shall be understood either formal refusal or any attitude incompatible with the decision of the Council ordering that the offence be remedied.)

The Council shall, further, take the necessary measures to put an end, as soon as possible, to a situation calculated to threaten the peace of the world. The text does not define the nature of these preventive measures. Its elasticity permits the Council to take such measures as may be appropriate in each concrete case, as, for example, the evacuation of territories.

Any decisions which might be taken by the Council in virtue of this Article shall be taken by a two-thirds majority, except in the case of decisions dealing with questions of procedure, which still come under the general rule of Article 5, para. 2, of the Covenant. The following decisions, therefore, shall be taken by a two-thirds majority:—

The decision as to whether there has or has not been an offence against the first paragraph;

The decision calling upon the guilty, State to remedy the offence;

The decision as to whether there has or has not been refusal to remedy the offence;

Lastly, the decision as to the measures calculated to put an end, as soon as possible, to a situation calculated to threaten the peace of the world.

The original text of Article 7 provided that, in the case of enquiries and investigations, the Council should avail itself of the organisation to be set up by the Conference for the reduction of armaments in order to ensure respect for

the decisions of that Conference. There is no longer any mention of this organisation, but this omission does not affect any decisions which the Conference may be called upon to take regarding the matter. It will be entirely free to set up an organisation, if it judges this necessary, and the Council's right to make use of this body for the enquiries and investigations contemplated will, *a fortiori*, remain intact.

Article 8.

Article 8 must be considered in relation to Article 2. Article 2 establishes the obligation not to resort to war, while Article 8, giving effect to Article 10 of the Covenant, goes further. The signatories undertake to abstain from any act which might constitute a threat of aggression against any other State. Thus, every act which comes within the scope of this idea of a threat of war—and its scope is sufficiently elastic—constitute a breach of the Protocol, and therefore a dispute with which the Council is competent to deal.

If, for example, one State alleges that another State is engaged in preparations which are nothing less than a particular form of threat of war (such as any kind of secret mobilisation, concentration of troops, formation of armed bodies with the connivance of the Government, etc.), the Council, having established that there is a case for consideration, will follow what may be defined as the procedure of preventive measures; it will arrange for suitable enquiries and investigations, and, in the event of any breach of the provisions of para. 1 being established, will take the steps described in Article 7, para. 4.

3. SECURITY—SANCTIONS.

Article 11.

(Article 11, paras. 1 and 2, of the Protocol in its relation to Articles 10 and 16 of the Covenant.)

According to Article 10 of the Covenant, Members of the League undertake to preserve as against external aggression the territorial integrity and existing political independence of all Members of the League. In case of aggression, the Council shall advise upon the means by which this obligation shall be fulfilled.

According to Article 16, should any Member of the League resort to war in disregard of its engagements under Articles 12, 13 or 15, all other Members of the League undertake immediately to apply economic sanctions; furthermore, it shall be the duty of the Council to recommend to the several Governments concerned what effective military, naval or air forces the Members of the League shall severally contribute to the armed forces to be used to protect the engagements of the League.

At the time when they were drafted at the Peace Conference in Paris in 1919, these articles gave rise to keen controversy as to the exact scope of the engagements entered into in these provisions, that is to say, as to the nature and extent of the obligations referred to in Article 10, the exact moment at which such obligations arose, and the juridical consequences of the Council recommendations referred to in Article 16, para. 2. This controversy continued, as is

well known, in the debates here in Geneva, where the question has been discussed in previous years.

Article 11 is intended to settle this controversy. The signatories of the present Protocol accept the obligation to apply against the aggressor the various sanctions laid down in the Covenant, as interpreted in Article 11 of the Protocol, when an act of aggression has been established and the Council has called upon the signatory States immediately to apply such sanctions (Article 10, last paragraph). Should they fail so to do, they will not be fulfilling their obligations.

As regards their nature and extent, these obligations are clearly defined in para. 2 of Article 11. According to this paragraph, the reply to the question whether a signatory to the Protocol has or has not fulfilled its obligation depends on whether it has loyally and effectively co-operated in resisting the act of aggression to an extent consistent with its geographical position and the special conditions of its armaments.

The State remains in control of its forces, and itself, and not the Council, directs them, but para. 2 of Article 11 gives us positive material upon which to form a judgment as to whether or not these obligations have been carried out in any concrete case. This criterion is supplied by the term: *loyally and effectively*.

In answering the question whether a State has or has not fulfilled its obligations in regard to sanctions, a certain elasticity in the obligations laid down in Article 11 allows of the possibility of *taking into account, from every point of view, the position of each State which is a signatory to the present Protocol*. The signatory States are not all in possession of equal facilities for acting when the time comes to apply the sanctions. This depends upon the geographical, economic and social position of the State, the nature of its population, internal institutions, etc.

Indeed, during the discussion as to the system of sanctions, certain delegations declared that their countries were in a special situation, by reason of their geographical position or the state of their armaments. These countries desired to co-operate to the fullest extent of their resources in resistance of every act of aggression, but they drew attention to their special conditions. In order to take account of this situation, an addition has been made to para. 2 of Article 11 pointing out this state of affairs and laying stress on the particular situation of the countries in question. Moreover, Article 13 of the Protocol allows such countries to inform the Council of these matters beforehand.

I would further add that the obligations I refer to are imperfect obligations in the sense that no sanctions are provided for against any party which shall have failed loyally and effectively to co-operate in protecting the Covenant and resisting any act of aggression. It should, however, be emphasised that such a State would have failed in the fulfilment of its duties and would be guilty of a violation of engagements entered into.

In view of the foregoing, the gist of Article 11, paras. 1 and 2, might be expressed as follows: Each State is the judge of the manner in which it shall carry out its obligations but not of the existence of those obligations, that is to say, each State remains the judge of what

it will do but no longer remains the judge or what it should do.

Now that the present Protocol has defined more precisely the origin, nature and extent of the obligations arising out of the Covenant, the functions of the Council, as provided in Articles 10 and 16, have become clearer and more definite.

Directly the Council has called upon the signatories to the Protocol to apply without delay the sanctions provided in Article 11, it becomes a regulating, or rather an advisory, body, but not an executive body. The nature of the acts of aggression may vary considerably; the means for their suppression will also vary. It would frequently be unnecessary to make use of all the means which, according to paras. 1 and 2 of Article 11, are, so to speak, available for resisting an act of aggression. It might even be dangerous if, from fear of failing in their duties, States made superfluous efforts. It will devolve upon the Council, which, according to Article 13, may be in possession of the necessary data, to give its opinion, should need occur, as to the best means of executing the obligations which arise directly it enjoins the application of sanctions, especially as to the sequence in which the sanctions must be applied.

The practical application of the sanctions would, however, always devolve upon the Governments; the real co-operation would ensue upon their getting into touch, through diplomatic channels—perhaps by conferences—and by direct relations between different General Staffs, as in the last war. The Council would, of course, be aware of all these negotiations, would be consulted and make recommendations.

The difference between the former state of affairs and the new will therefore be as follows:—

According to the system laid down by the Covenant:

1. The dispute arises.
2. In cases where neither the arbitral procedure nor the judicial settlement provided for in Article 9 of the Covenant is applied, the Council meets and discusses the dispute, attempts to effect conciliation, mediation, etc.
3. If it be unsuccessful and war breaks out, the Council, if unanimous, has to express an opinion as to which party is guilty. The Members of the League then decide for themselves whether this opinion is justified and whether their obligations to apply economic sanctions therefore become operative.
4. It then has, by unanimous decision, to recommend military sanctions.
5. If unanimity cannot be obtained, the Council ceasing to take action, each party is practically free to act as it chooses.

According to the new system defined in the Protocol, the situation is as follows:—

1. The dispute arises.
2. The system of peaceful settlement provided for by the Protocol comes into play.
3. The Council intervenes, and if, after arbitration has been refused, war is

resorted to, if the provisional preventive measures are not observed, etc., the Council decides which party is the aggressor, and calls upon the signatory States to apply the sanctions.

This decision implies that such sanctions as the case requires—economic, financial, military, naval and air—shall be applied forthwith, and without further recommendations or decisions.

We have, therefore, the following new elements:—

- (a) The obligation to apply the necessary sanctions of every kind as a direct result of the decision of the Council.
- (b) The elimination of the case in which all parties would be practically free to abstain from any action. The introduction of a system of arbitration and of provisional measures which permits of the determination in every case as to who is the aggressor.
- (c) No decision is taken as to the strength of the military, naval and air forces, and no details are given as to the measures which are to be adopted in a particular case. None the less, objective criteria are supplied which define the obligation of each signatory; it is being bound, in resistance to an act of aggression, to collaborate *loyally and effectively* in applying the sanctions in accordance with its geographical situation and the special conditions of its armaments.

That is why I said that *the great omission in the Covenant has been made good*.

It is true that no burden has been imposed on States beyond the sanctions already provided for in the Covenant. But, at present, a State seeking to elude the obligations of the Covenant can reckon on two means of escape:—

- (1) The Council's recommendations might not be followed.
- (2) The Council might fail to obtain unanimity, making impossible any declaration of aggression, so that no obligation to apply military sanctions would be imposed and everyone would remain free to act as he choose.

We have abandoned the above system and both these loopholes are now closed.

Article 11, paras. 3 and 4.

Para. 3 of Article 11 has been drafted with a view to giving greater precision to certain provisions of Article 11, para. 3, of the Covenant. Article 16, para. 3, refers to mutual support in the application of financial and economic measures. Article 11, para. 3, of the present Protocol establishes real economic and financial co-operation between State which has been attacked and the various States which come to its assistance.

As, under Article 10 of the Protocol, it may happen that both States involved in a dispute are declared to be aggressors, the question arose as to what would be the best method of settling this problem. There were three alternatives: to apply the principle contained in

para. 1, which is practically equivalent to declaring war on both parties—or to leave the matter to pursue its own course, or, finally, to compel States which might disturb the peace of the world to abandon their acts of war by the employment of means less severe than those indicated in para. 1. It is the last method which has been chosen. Only economic measures will be taken against these States, and naturally the States in question will not be entitled to receive the assistance referred to in Article 11, para. 3.

Article 12.

Article 16, para. 1, of the Covenant provides for the immediate severance of all trade or financial relations with the aggressor State, and para. 3 of the same Article provides, *inter alia*, for economic and financial co-operation between the State attacked and the various States coming to its assistance.

As has already been pointed out, these engagements have been confirmed and made more definite in Article 11 of the Protocol.

But the severance of relations and the co-operation referred to necessarily involve measures so complex that, when the moment arises, doubts may well occur as to what measures are necessary and appropriate to give effect to the obligations assumed under the above provisions. These problems require full consideration in order that States may know beforehand what their attitude should be.

Article 22 defines the conditions of such investigation.

It is not expressly stated that the problem will be examined by the Council in collaboration with the various Governments, but the Council will naturally, if it deems it necessary, invite the respective Governments to furnish such information as it may require for the purpose of carrying out the task entrusted to it under Article 12.

Article 13, para. 1.

The statement in Article 11, paras. 1 and 2, contains many references to Article 13.

As I have already pointed out, in case sanctions have to be applied, it is highly important that there should exist some organ required to express an opinion as to the best way in which obligations connected with sanctions could be carried out by the Contracting Parties. As you are aware, this organ, according to the Covenant, is the Council. In order that the Council may effectively fulfil this duty, Article 13 empowers it to receive undertakings on the part of States, determining *in advance* the military, naval and air forces which they would be able to bring into action immediately in order to ensure the fulfilment of the obligations arising, in this connection, out of the Covenant and the present Protocol.

It is also necessary to emphasise the fact that the means which the States signatories to the present Protocol have at their disposal for the fulfilment of the obligations arising out of Article 11 vary considerably in view of the differences in the geographical, economic, financial, political and social situation of different States. Information as to the means at

the disposal of each State is therefore indispensable in order that the Council may in full understanding give its opinion as to the best method by which such obligations may best be carried out.

Finally, as regards the question of the reduction of armaments, which is the final goal to which our efforts are tending, the information thus furnished to the Council may be of very great importance, as every State, knowing what forces will be available for its assistance in case it is attacked, will be able to judge to what extent it may reduce its armaments without compromising its existence as a State, and every State will thus be able to provide the International Conference for the Reduction of Armaments with very valuable data. I should add, moreover, that Article 13, para. 1, does not render it compulsory for States to furnish this information. It is desirable that States should furnish the Council with this information, but they are at liberty not to do so.

Article 13, paras. 2 and 3.

The provisions of Article 13, paras. 2 and 3, refer to special agreements which were discussed at such length last year. In view of the fact that, according to para. 2, such agreements can only come into force when the Council has invited the signatory States to apply the sanctions, the nature of these agreements may be defined as follows:—

Special agreements must be regarded as the means for the rapid application of sanctions of every kind in a given case of aggression. They are additional guarantees which give weaker States an absolute assurance that the system of sanctions will never fail. They guarantee that there will always be States immediately prepared to carry out the obligations provided for in Article 11 of the Protocol.

In accordance with Article 18 of the Covenant, it is expressly stated that these agreements will be registered and published by the Council, and it has also been decided that they will remain open for signature to any State Member of the League of Nations which may desire to accede to them.

4. RAISING OF SANCTIONS: PUNISHMENT OF THE AGGRESSOR.

Article 14.

Article 14 is in perfect keeping with the last paragraph of Articles 10 and 11. In the paragraph in question, the coming into operation of the sanctions depends upon an injunction by the Council; also it devolves upon the Council to declare that the object for which the sanctions were applied has been attained. Just as the application of the sanctions is a matter for the States, so it rests with them to liquidate the operations undertaken with a view to resisting the act of aggression.

Article 15.

Para. 1 is similar to Article 10 of the draft Treaty of Mutual Assistance drawn up last year.

Para. 2 is designed to prevent the sanctions provided for in Article 11 from undergoing any change in character during the process of execution and developing into a war of annexation.

In view of the observations of various delegations regarding the punishment of the aggressor, I should add that it would be incorrect to interpret this article as meaning that the only penalties to be apprehended by the aggressor as the result of his act shall be the burdens referred to in para. 1. If necessary, securities against fresh aggression or pledges, guaranteeing the fulfilment of the obligations imposed in accordance with para. 1 might be required. Only annexation of territory and measures involving the loss of political independence are declared inadmissible.

"Territory" shall be taken to mean the whole territory of a State, no distinction being made between the mother-country and the colonies.

5. REDUCTION OF ARMAMENTS.

Articles 17 and 21.

Although it has not been possible to solve the problem of the reduction of armaments by means of the clauses of the document submitted to the Assembly for approval, our work paves the way to it and makes it possible.

The reduction of armaments will result, in the first place, from the general security created by a diminution of the dangers of war arising from the compulsory pacific settlement of all disputes.

It will also ensue from the certainty which any State attacked will have of obtaining the economic and financial support of all the signatory States, and such support would be especially important should the aggressor be a great Power, capable of carrying on a long war.

Nevertheless, for States which, owing to their geographical position, are specially liable to attack, and for States whose most important centres are adjacent to their frontiers, the dangers of a sudden attack are so great that it will not be possible for them to base any plan for the reduction of their armaments simply upon the political and economic factors referred to above, no matter what the importance of such factors may be.

It has also been repeatedly declared that many States would require to know what military support they could count on, before the convening of the Conference, if they are to submit to the Conference proposals for great reductions of armaments; this might necessitate negotiations between the Governments and with the Council before the meeting of the Conference for the Reduction of Armaments provided for in Article 17. The undertakings referred to in Article 18 of the Protocol should be interpreted in the light of the above.

In drawing up the general programme of the Conference, it would also be necessary, as stated in para. 2 of Article 17, for the Council, apart from other criteria, "to take into account the undertakings mentioned."

In view of the close interdependence of the three great problems involved, namely, the pacific settlement of disputes, sanctions against those who disturb the peace of the world, and reduction of armaments, the Protocol provides for the convening by the Council of a general

Conference for the Reduction of Armaments and for the preparation of the work of such a Conference. Furthermore, the application of the clauses concerning arbitration and sanctions will be conditional on the adoption by the said Conference of a plan for the reduction and limitation of armaments.

Moreover, in order to preserve the connection between the three big problems referred to above, it is provided that the whole Protocol will lapse in the event of the non-execution of the scheme adopted by the Conference. It devolves upon the Council to declare this under conditions to be determined by the Conference itself.

The last paragraph of Article 21 provides for the case of the partial lapsing of the Protocol which has been put into force. Should the plan adopted by the Conference be regarded as having been put into effect, any State which fails to execute it, so far as it is concerned, will not benefit by the provisions of the Protocol.

6. THE COVENANT AND THE PROTOCOL.

Article 19.

The present Protocol emphasises and defines certain obligations arising out of the Covenant. Those of which the present Protocol makes no mention are not affected in any manner. They still exist. Examples which might be quoted are those laid down in Article 16, para. 3, of the Covenant, namely, the obligation of the States to give one another mutual support in order to minimise the loss and inconvenience resulting from the application of the economic and financial sanctions or the obligation of the States to take the necessary steps to afford passage through their territory to forces which are co-operating to protect the covenants of the League.

Moreover, as the Swiss Delegation suggests, attention should be directed to the fact that the present Protocol does not in any way affect the special position of Switzerland as arising out of the Declaration of the Council of London of 13th February 1920. As the special position of Switzerland is in accordance with the Covenant, it will also be in accordance with the present Protocol.

III.—CONCLUSION.

No further explanations need be added to these comments on the articles. The main principles of the Protocol are clear, as are the detailed provisions.

Our purpose was to make war impossible, to kill it, to annihilate it. To do this, we had to create a system for the pacific settlement of all disputes which might ever arise. In other words, it meant the creation of a system of arbitration from which no international dispute, whether juridical or political, could escape. The plan drawn up leaves no loophole; it prohibits wars of every description and lays down that all disputes shall be settled by pacific means.

But this absolute character which applies to the system of arbitration should also apply to the whole of the scheme, in regard to all questions of principle. If there were one single gap in the system, if the smallest opening were left for any measure of force, the whole system would collapse.

To this end arbitration is provided for every kind of dispute, and aggression is defined in such a way as to give no cause for hesitation when the Council has to take a decision.

These reasons led us to fill in the gaps in the Covenant and to define the sanctions in such a way that no possible means could be found of evading them, and that there should be a sound and definite basis for the feeling of security.

Finally, the Conference for the Reduction of Armaments is indissolubly bound up with this whole system; *there can be no arbitration or security without disarmament, nor can there be disarmament without arbitration and security.*

The peace of the world is at stake.

The Fifth Assembly has undertaken a work of world-wide political importance which, if it succeeds, is destined profoundly to modify present political conditions. This year great progress in this direction has been made in our work. If we succeed, the League of Nations will have rendered an inestimable service to the whole modern world. Such success depends partly upon the Assembly itself and partly upon individual Governments. We submit to the Assembly the fruit of our labours: a work charged with the highest hopes. We beg the Assembly to examine our proposals with care, and to recommend them to the various Governments for acceptance.

In this spirit and with such hopes do we request the Assembly to vote the draft resolutions 1 and 2 that are presented with this Report.

ANNEX VII. (A)—Draft Protocol for the Pacific Settlement of International Disputes.

Animated by the firm desire to ensure the maintenance of general peace and the security of nations whose existence, independence or territories may be threatened;

Recognising the solidarity of the members of the international community;

Asserting that a war of aggression constitutes a violation of this solidarity and an international crime;

Desirous of facilitating the complete application of the system provided in the Covenant of the League of Nations for the pacific settlement of disputes between States and of ensuring the repression of international crimes; and

For the purpose of realising, as contemplated by Article 8 of the Covenant, the reduction of national armaments to the lowest point consistent with national safety and the enforcement by common action of international obligations;

The Undersigned, duly authorised to that effect, agree as follows:—

Article 1.

The signatory States undertake to make every effort in their power to secure the introduction into the Covenant of amendments on the lines of the provisions contained in the following articles.

They agree that, as between themselves, these provisions shall be binding as from the coming into force of the present Protocol and that, so

far as they are concerned, the Assembly and the Council of the League of Nations shall thenceforth have power to exercise all the rights and perform all the duties conferred upon them by the Protocol.

Article 2.

The signatory States agree in no case to resort to war either with one another or against a State which, if the occasion arises, accepts all the obligations hereinafter set out, except in case of resistance to acts of aggression or when acting in agreement with the Council or the Assembly of the League of Nations in accordance with the provisions of the Covenant and of the present Protocol.

Article 3.

The signatory States undertake to recognise as compulsory, *ipso facto* and without special agreement, the jurisdiction of the Permanent Court of International Justice in the cases covered by para. 2 of Article 36 of the Statute of the Court, but without prejudice to the right of any State, when acceding to the special protocol provided for in the said Article and opened for signature on 16th December 1920, to make reservations compatible with the said clause.

Accession to this special protocol, opened for signature on 16th December 1920, must be given within the month following the coming into force of the present Protocol.

States which accede to the present Protocol, after its coming into force, must carry out the above obligation within the month following their accession.

Article 4.

With a view to render more complete the provisions of paras. 4, 5, 6 and 7 of Article 15 of the Covenant, the signatory States agree to comply with the following procedure:—

- (1) If the dispute submitted to the Council is not settled by it as provided in para. 3 of the said Article 15, the Council shall endeavour to persuade the parties to submit the dispute to judicial settlement or arbitration.
- (2)—(a) If the parties cannot agree to do so, there shall, at the request of at least one of the parties, be constituted a Committee of Arbitrators. The Committee shall, so far as possible, be constituted by agreement between the parties.
- (b) If within the period fixed by the Council the parties have failed to agree, in whole or in part, upon the number, the names and the powers of the arbitrators and upon the procedure, the Council shall settle the points remaining in suspense. It shall with the utmost possible despatch select in consultation with the parties the arbitrators and their President from among persons who by their nationality, their personal character and their experience, appear to it to furnish the highest guarantees of competence and impartiality.

- (c) After the claims of the parties have been formulated, the Committee of Arbitrators, on the request of any party, shall through the medium of the Council request an advisory opinion upon any points of law in dispute from the Permanent Court of International Justice, which in such case shall meet with the utmost possible despatch.
- (3) If none of the parties asks for arbitration, the Council shall again take the dispute under consideration. If the Council reaches a report which is un-animously agreed to by the members thereof other than the representatives of any of the parties to the dispute, the signatory States agree to comply with the recommendations therein.
- (4) If the Council fails to reach a report which is concurred in by all its members, other than the representatives of any of the parties to the dispute, it shall submit the dispute to arbitration. It shall itself determine the composition, the powers and the procedure of the Committee of Arbitrators and, in the choice of the arbitrators, shall bear in mind the guarantees of competence and impartiality referred to in para. 2 (b) above.
- (5) In no case may a solution, upon which there has already been a unanimous recommendation of the Council accepted by one of the parties concerned, be again called in question.
- (6) The signatory States undertake that they will carry out in full good faith any judicial sentence or arbitral award that may be rendered and that they will comply, as provided in para. 3 above, with the solutions recommended by the Council. In the event of a State failing to carry out the above undertakings, the Council shall exert all its influence to secure compliance therewith. If it fails therein, it shall propose what steps should be taken to give effect thereto, in accordance with the provision contained at the end of Article 13 of the Covenant. Should a State in disregard of the above undertakings resort to war, the sanctions provided for by Article 16 of the Covenant, interpreted in the manner indicated in the present Protocol, shall immediately become applicable to it.
- (7) The provisions of the present article do not apply to the settlement of disputes which arise as the result of measures of war taken by one or more signatory States in agreement with the Council or the Assembly.

Article 5.

The provisions of para. 8 of Article 15 of the Covenant shall continue to apply in proceedings before the Council.

If in the course of an arbitration, such as is contemplated by Article 4 above, one of the parties claims that the dispute, or part thereof, arises out of a matter which by international law is solely within the domestic jurisdiction of that party, the arbitrators shall on this point take the advice of the Permanent Court of International

Justice through the medium of the Council. The opinion of the Court shall be binding upon the arbitrators, who, if the opinion is affirmative, shall confine themselves to so declaring in their award.

If the question is held by the Court or by the Council to be a matter solely within the domestic jurisdiction of the State this decision shall not prevent consideration of the situation by the Council or by the Assembly under Article 11 of the Covenant.

Article 6.

If in accordance with para. 9 of Article 15 of the Covenant a dispute is referred to the Assembly, that body shall have for the settlement of the dispute all the powers conferred upon the Council as to endeavouring to reconcile the parties in the manner laid down in paras. 1, 2 and 3 of Article 15 of the Covenant and in para. 1 of Article 4 above.

Should the Assembly fail to achieve an amicable settlement—

If one of the parties asks for arbitration, the Council shall proceed to constitute the Committee of Arbitrators in the manner provided in sub-paras. (a), (b) and (c) of para. 2 of Article 4 above.

If no party asks for arbitration, the Assembly shall again take the dispute under consideration and shall have in this connection the same powers as the Council. Recommendations embodied in a report of the Assembly, provided that it secures the measures of support stipulated at the end of para. 10 of Article 15 of the Covenant, shall have the same value and effect, as regards all matters dealt with in the present Protocol, as recommendations embodied in a report of the Council adopted as provided in para. 3 of Article 4 above.

If the necessary majority cannot be obtained, the dispute shall be submitted to arbitration and the Council shall determine the composition, the powers and the procedure of the Committee of Arbitrators as laid down in para. 4 of Article 4.

Article 7.

In the event of a dispute arising between two or more signatory States, these States agree that they will not, either before the dispute is submitted to proceedings for pacific settlement or during such proceedings, make any increase of their armaments or effectives which might modify the position established by the Conference for the Reduction of Armaments provided for by Article 17 of the present Protocol, nor will they take any measure of military, naval, air, industrial or economic mobilisation, nor, in general, any action of a nature likely to extend the dispute or render it more acute.

It shall be the duty of the Council, in accordance with the provisions of Article 11 of the Covenant, to take under consideration any complaint as to infraction of the above undertakings which is made to it by one or more of the States parties to the dispute. Should the Council be of opinion that the complaint requires investigation, it shall, if it deems it expedient, arrange for enquiries and investigations in one or more of the countries concerned. Such enquiries and investigations shall be carried out with the utmost

possible despatch and the signatory States undertake to afford every facility for carrying them out.

The sole object of measures taken by the Council as above provided is to facilitate the public settlement of disputes and they shall in no way prejudice the actual settlement.

If the result of such enquiries and investigations is to establish an infraction of the provisions of the first paragraph of the present Article, it shall be the duty of the Council to summon the State or States guilty of the infraction to put an end thereto. Should the State or States in question fail to comply with such summons, the Council shall declare them to be guilty of a violation of the Covenant or of the present Protocol, and shall decide upon the measures to be taken with a view to end as soon as possible a situation of a nature to threaten the peace of the world.

For the purposes of the present Article decisions of the Council may be taken by a two-thirds majority.

Article 8.

The signatory States undertake to abstain from any act which might constitute a threat of aggression against another State.

If one of the signatory States is of opinion that another State is making preparations for war, it shall have the right to bring the matter to the notice of the Council.

The Council, if it ascertains that the facts are as alleged, shall proceed as provided in paras. 2, 4 and 5 of Article 7.

Article 9.

The existence of demilitarised zones being calculated to prevent aggression and to facilitate a definite finding of the nature provided for in Article 10 below, the establishment of such zones between States mutually consenting thereto is recommended as a means of avoiding violations of the present Protocol.

The demilitarised zones already existing under the terms of certain treaties or conventions, or which may be established in future between States mutually consenting thereto, may at the request and at the expense of one or more of the conterminous States, be placed under a temporary or permanent system of supervision to be organised by the Council.

Article 10.

Every State which resorts to war in violation of the undertakings contained in the Covenant or in the present Protocol is an aggressor. Violation of the rules laid down for a demilitarised zone shall be held equivalent to resort to war.

In the event of hostilities having broken out, any State shall be presumed to be an aggressor, unless a decision of the Council, which must be taken unanimously, shall otherwise declare:—

- (1) If it has refused to submit the dispute to the procedure of pacific settlement provided by Articles 13 and 15 of the Covenant as amplified by the present Protocol, or to comply with a judicial sentence or arbitral award or with a unanimous recommendation of the Council, or has disregarded a unanimous report of the Council, a judicial sentence or

an arbitral award recognising that the dispute between it and the other belligerent State arises out of a matter which by international law is solely within the domestic jurisdiction of the latter State; nevertheless, in the last case the State shall only be presumed to be an aggressor if it has not previously submitted the question to the Council or the Assembly, in accordance with Article 11 of the Covenant.

- (2) If it has violated provisional measures enjoined by the Council for the period while the proceedings are in progress as contemplated by Article 7 of the present Protocol.

Apart from the cases dealt with in paras. 1 and 2, of the present Article, if the Council does not at once succeed in determining the aggressor, it shall be bound to enjoin upon the belligerents an armistice, and shall fix the terms, acting, if need be, by a two-thirds majority, and shall supervise its execution.

Any belligerent which has refused to accept the armistice or has violated its terms shall be deemed an aggressor.

The Council shall call upon the signatory States to apply forthwith against the aggressor the sanctions provided by Article 11 of the present Protocol, and any signatory State thus called upon shall thereupon be entitled to exercise the rights of a belligerent.

Article 11.

As soon as the Council has called upon the signatory States to apply sanctions, as provided in the last paragraph of Article 10 of the present Protocol, the obligations of the said States, in regard to the sanctions of all kinds mentioned in paras. 1 and 2 of Article 16 of the Covenant, will immediately become operative in order that such sanctions may forthwith be employed against the aggressor.

Those obligations shall be interpreted as obliging each of the signatory States to co-operate loyally and effectively in support of the Covenant of the League of Nations, and in resistance to any act of aggression, in the degree which its geographical position and its particular situation as regards armaments allow.

In accordance with para. 3 of Article 16 of the Covenant the signatory States give a joint and several undertaking to come to the assistance of the State attacked or threatened, and to give each other mutual support by means of facilities and reciprocal exchanges as regards the provision of raw materials and supplies of every kind, openings of credits, transport and transit, and for this purpose to take all measures in their power to preserve the safety of communications by land and by sea of the attacked or threatened State.

If both parties to the dispute are aggressors within the meaning of Article 10, the economic and financial sanctions shall be applied to both of them.

Article 12.

In view of the complexity of the conditions in which the Council may be called upon to exercise

the functions mentioned in Article 11 of the present Protocol concerning economic and financial sanctions, and in order to determine more exactly the guarantees afforded by the present Protocol to the signatory States, the Council shall forthwith invite the economic and financial organisations of the League of Nations to consider and report as to the nature of the steps to be taken to give effect to the financial and economic sanctions and measures of co-operation contemplated in Article 16 of the Covenant and in Article 11 of this Protocol.

When in possession of this information, the Council shall draw up, through its competent organs:—

- (1) Plans of action for the application of the economic and financial sanctions against an aggressor State;
- (2) Plans of economic and financial co-operation between a State attacked and the different States assisting it;

and shall communicate these plans to the Members of the League and to the other signatory States.

Article 13.

In view of the contingent military, naval and air sanctions provided for by Article 16 of the Covenant and by Article 11 of the present Protocol, the Council shall be entitled to receive undertakings from States determining in advance the military, naval and air forces which they would be able to bring into action immediately to ensure the fulfilment of the obligations in regard to sanctions which result from the Covenant and the present Protocol.

Furthermore, as soon as the Council has called upon the signatory States to apply sanctions, as provided in the last paragraph of Article 10 above, the said States may, in accordance with any agreements which they may previously have concluded, bring to the assistance of a particular State, which is the victim of aggression, their military, naval and air forces.

The agreements mentioned in the preceding paragraph shall be registered and published by the Secretariat of the League of Nations. They shall remain open to all States Members of the League which may desire to accede thereto.

Article 14.

The Council shall alone be competent to declare that the application of sanctions shall cease and normal conditions be re-established.

Article 15.

In conformity with the spirit of the present Protocol, the signatory States agree that the whole cost of any military, naval or air operations undertaken for the repression of an aggression under the terms of the Protocol, and reparation for all losses suffered by individuals, whether civilians or combatants, and for all material damage caused by the operations of both sides, shall be borne by the aggressor State up to the extreme limit of its capacity.

Nevertheless, in view of Article 10 of the Covenant, neither the territorial integrity nor the political independence of the aggressor State

shall in any case be affected as the result of the application of the sanctions mentioned in the present Protocol.

Article 16.

The signatory States agree that in the event of a dispute between one or more of them and one or more States which have not signed the present Protocol and are not Members of the League of Nations, such non-Member States shall be invited, on the conditions contemplated in Article 17 of the Covenant, to submit, for the purpose of a pacific settlement, to the obligations accepted by the States signatories of the present Protocol.

If the State so invited, having refused to accept the said conditions and obligations, resorts to war against a signatory State, the provisions of Article 16 of the Covenant, as defined by the present Protocol, shall be applicable against it.

Article 17.

The signatory States undertake to participate in an International Conference for the Reduction of Armaments which shall be convened by the Council and shall meet at Geneva on Monday, 15th June 1925. All other States, whether Members of the League or not, shall be invited to this Conference.

In preparation for the convening of the Conference, the Council shall draw up with due regard to the undertakings contained in Articles 11 and 13 of the present Protocol a general programme for the reduction and limitation of armaments, which shall be laid before the Conference and which shall be communicated to the Governments at the earliest possible date, and at the latest three months before the Conference meets.

If by 1st May 1925, ratifications have not been deposited by at least a majority of the permanent Members of the Council and 10 other Members of the League, the Secretary-General of the League shall immediately consult the Council as to whether he shall cancel the invitations or merely adjourn the Conference until a sufficient number of ratifications have been deposited.

Article 18.

Whenever mention is made in Article 10, or in any other provision of the present Protocol, of a decision of the Council, this shall be understood in the sense of Article 15 of the Covenant, namely, that the votes of the representatives of the parties to the dispute shall not be counted when reckoning unanimity or the necessary majority.

Article 19.

Except as expressly provided by its terms, the present Protocol shall not affect in any way the rights and obligations of Members of the League as determined by the Covenant.

Article 20.

Any dispute as to the interpretation of the present Protocol shall be submitted to the Permanent Court or International Justice.

Article 21.

The present Protocol, of which the French and English texts are both authentic, shall be ratified.

The deposit of ratifications shall be made at the Secretariat of the League of Nations as soon as possible.

States of which the seat of government is outside Europe will be entitled merely to inform the Secretariat of the League of Nations that their ratification has been given; in that case, they must transmit the instrument of ratification as soon as possible.

So soon as the majority of the permanent Members of the Council and 10 other Members of the League have deposited or have effected their ratifications, a *procès-verbal* to that effect shall be drawn up by the Secretariat.

After the said *procès-verbal* has been drawn up, the Protocol shall come into force as soon as the plan for the reduction of armaments has been adopted by the Conference provided for in Article 17.

If within such period after the adoption of the plan for the reduction of armaments as shall be fixed by the said Conference, the plan has not been carried out, the Council shall make a declaration to that effect, this declaration shall render the present Protocol null and void.

The grounds on which the Council may declare that the plan drawn up by the International Conference for the Reduction of Armaments has not been carried out, and that in consequence the present Protocol has been rendered null and void, shall be laid down by the Conference itself.

A signatory State which, after the expiration of the period fixed by the Conference, fails to comply with the plan adopted by the Conference, shall not be admitted to benefit by the provisions of the present Protocol.

In faith whereof the Undersigned, duly authorised for this purpose, have signed the present Protocol.

ANNEX. VIII.—*Report by the Fourth Committee on Financial Questions.*

(Rapporteur Général: H. E. M. Augusto de Vasconcellos.)

In connection with its work during the Fifth Assembly, the Fourth Committee has in the first place much pleasure in placing on record the fact that the finances of the League of Nations, both of the Secretariat and of the autonomous organisations, are now perfectly organised. The work of the first two years consisted in laying the foundations of a system which the Third Assembly was to embody in definite rules. The Fourth Assembly completed the onerous work of placing the finances of the League on a sound basis; and the Fifth Assembly is in a position to realise that the financial policy which has been adopted, the methods which have been employed, the ability of the staff and the strictness of control have brought about results which reflect great credit upon the League; the way in which its finances have been managed might serve as an example to the most conscientious administrations.

This excellent work of organisation has been achieved under the able guidance of scrupulous and competent officials who contrived to recruit a diligent staff—a staff which has frequently received from the Fourth Committee the high praise which it deserves.

The whole of this irreproachable administrative machinery is controlled by the Supervisory Commission, which is strict in its principles and conciliatory and indefatigable in its labours. We desire to express our greatest admiration and gratitude for the services rendered by this Commission under its distinguished Chairman, His Excellency M. Osusky, who has proved himself a worthy successor to the late M. Noblemaire, and by our very competent Auditor, Commandatore Ceresa. On the motion of M. Barboza-Carneiro, and in response to his eloquent words, with which our distinguished Chairman and M. Réveillaud associated themselves in moving terms, the Committee paid to the memory of M. Noblemaire, a brave soldier, an admirable organiser and a most valued collaborator in the financial work of the League of Nations, the tribute which was due alike to his personality and to the services which he rendered us in the most delicate part of our labours. The Committee also requested the Delegate of France, M. Réveillaud, to inform Madame Noblemaire of the tribute which had been paid to her husband's memory.

The League need have no apprehensions with regard to the management of its finances. The results obtained are due to exemplary administration and to a sound financial policy consistently carried out. Though the guiding principle in this policy is the most rigid economy, an endeavour is made to provide the different services, and particularly the excellent technical organisations, not only with the funds absolutely necessary to enable them to perform the duties assigned to them in the Covenant, but even with the funds required to ensure their orderly development, with due regard to the relative importance and urgency of different claims on the limited funds available.

Success has crowned our efforts. Let it be said to our credit—and it is a source of legitimate and pardonable pride—that in carrying out this wise and prudent policy, the Fourth Committee has frequently been exposed to criticism and blame, the object being to make us depart from the line we have marked out for ourselves. Fortunately, we have no intention of doing so. We should only be too happy to be in a position to grant substantial credits to promote work of importance for the future of the nations and of all mankind. But the delegates on the Fourth Committee could only have granted such credits if they had been authorised by their Governments to sanction a substantial increase in their contributions to the League. In point of fact, they came here with strict injunctions to keep down expenditure and to effect economies. Criticism is disappearing; the prudent policy we have followed is winning recognition, and in the end the Assembly is accustomed to support the decided policy of its Fourth Committee.

We can, therefore, now safely affirm that most of the initial difficulties connected with the finances of the League have been definitely overcome. The sound, healthy, and orderly manner in which the finances are managed reflects credit upon the entire institution and is a source of legitimate pride to all those who have been responsible for its development.

In order to carry out its work as expeditiously as possible, the Fourth Committee decided to

form five sub-Committees with instructions to report on the following questions:—

- (a) Contributions in arrears and claims of Panama;
- (b) Erection of a Conference Hall;
- (c) Allocation of expenses;
- (d) Pensions for the officials of the Permanent Court of International Justice;
- (e) Reorganisation of the Latin-American Bureau.

In accordance with the arrangements made in 1923, the Fourth Committee decided to request the chairman of each sub-Committee to report to the Assembly on the questions referred to the sub-Committee under his chairmanship, and also to ask the *rapporteur* to the Committee to deal with all the other questions on its agenda.

I.—AUDITED ACCOUNTS FOR 1923.

The Fourth Committee expresses its satisfaction with the manner in which the accounts of the Secretariat and the autonomous organisations of the League have been submitted, and it endorses the various observations made by the Auditor on this subject.

The Committee suggests that it might be desirable in future to prefix to the audited accounts a memorandum by the Secretary-General giving briefly the provisions in the Financial Regulations relative to the accounts. A note of this kind in the documents for the previous financial years proved very useful.

The Committee has also requested the Secretary-General to submit to it in future, as he did this year, a brief statement, within the limits of a budget item, of the transfers which have been approved by the Secretary-General during the financial period.

II.—BUDGET FOR 1925.

A.—SECRETARIAT AND SPECIAL ORGANISATIONS OF THE LEAGUE.

The Committee has examined, item by item, the budget estimates, which were submitted to it by the Secretariat in consultation with the Supervisory Commission. Having regard to the Supervisory Commission's very thorough examination of the ordinary credits during its May Session, the Fourth Committee directed its attention primarily to the proposals for supplementary credits from the various Committees of the Assembly. In consequence of the great importance of the questions under discussion by the Assembly, these proposals were specially numerous this year. The following questions of principle gave rise to discussion:—

The Committee took note of the explanations furnished by the Secretary-General as to the supply, *gratis*, of the publications of the League of Nations to the depository libraries. On account of the smallness of the credits opened for this purpose, it has been impossible to accede to all the requests which have been made to the Secretariat for the creation of new depository libraries.

The Committee instructed the Supervisory Commission to examine and submit to the next Assembly proposals in regard to the expediency of modifying the present form of Chapter III of the budget ("Special Organisations" of the

League"), which contains also the item "Unforeseen Expenditure." Some members of the Committee thought that the present distinction between temporary organisations and permanent or continuing organisations might be abolished, whereas other members of the Committee were in favour of retaining this distinction, transferring certain items from the first to the second category.

While associating itself with the opinion expressed by one of these members, to the effect that the budget estimates should be based on the actual expenditure during the previous financial year, the Committee realised that, in the case of an organisation such as the League of Nations, the work of which could not always be foreseen with rigid precision, it was occasionally necessary to allow for the coming financial year a sum in excess of that expended in the previous financial year, despite the inclusion of a provision for unforeseen expenditure. Moreover, having regard to the fact that it is constitutionally impossible to resort to supplementary credits in the course of a financial year, it is sometimes necessary to make provision for certain eventualities the possible occurrence of which must be taken into account.

The Committee thought proper, when it had under consideration the budget of the Mandates Section, to pay a tribute to the great zeal and ability displayed by Professor Rappard, Director of that Section, who was shortly resigning his appointment. Various members of the Committee expressed the hope that the decision of Professor Rappard was not irrevocable and that he would remain in the service of the League.

The Committee was generally of opinion that provision should not be made for too large a number of annual conferences. It thought that the technical organisations should arrange for successive conferences and, as far as possible, concentrate their attention each year upon some special subject. Certain members of the Committee also thought that, in connection with technical conferences, the organisations concerned should endeavour to secure the co-operation of the official and semi-official international organisations already in existence, and of parliamentary organisations, amongst others. This procedure would also greatly facilitate the ratification of the conventions adopted by the conferences.

In voting supplementary credits, amounting to 330,000 gold francs, for health work, the Fourth Committee was prompted by a desire to emphasise the great importance attached by the States to the work of the International Health Organisation. In regard to the interchange of health personnel, the representative of the British Empire pointed out that the increase of this item is not to be regarded as an approbation of the principle of defraying the future total cost of the interchange of medical personal out of the funds of the League.

The Fourth Committee associated itself with the Supervisory Commission's recommendation regarding regional or separate conferences. It was definitely of opinion that in future not more than one regional conference per organisation should be held during any one year.

In voting the supplementary credits, amounting to 1,000 francs, for the publication of a bibliographical index, the Fourth Committee emphasised its view that the League of Nations

should in no case grant subsidies to international institutions, though payments may legitimately be made for services rendered for a special object which had been clearly defined beforehand and which came within the sphere of activity of the League of Nations.

B.—INTERNATIONAL LABOUR ORGANISATION.

Before going into the details of the budget of the International Labour Organisation, the Committee invited M. Albert Thomas to make a general statement on the budget of the Labour Organisation.

M. Thomas stated, that in framing the budget regard was had to two principles. One was strict economy, and the other the determination not to prejudice the carrying out of any of the essential duties upon the Labour Office by the Treaties of Peace. The Governing Body had, no doubt, sanctioned a slight increase in the budget for 1925, but it must not be forgotten that, on account of the increments to which members of the staff were normally entitled, the "Salaries" heading could not be kept at the same figure. Moreover, the increased estimates for salaries had been partly compensated by a reduction in the items of the budget coming under the heading of office equipment, stationery, etc.

The Committee was greatly interested in the proposal made at a plenary meeting of the Assembly that the Labour Office and the Permanent Court of International Justice should be asked to submit to the Assembly reports on their work similar to the report submitted by the Secretariat. Without wishing in any way to interfere with the autonomy of these institutions, which it wishes fully to respect in accordance with the Regulations of the League, the Committee expressed the desire through a certain number of its members that, by means of the simultaneous publication of these reports, it should become possible to obtain a general view of the work of the League as performed by the three great institutions which it has created: the Secretariat, the International Labour Office and the Permanent Court of International Justice. The Committee is of opinion that it will be possible to draft a formula which will give satisfaction to the legitimate wishes of the Assembly, whilst respecting the principles of constitutional autonomy.

The Committee has noted with interest the statements by the Director of the International Labour Office with regard to the development of the services responsible for the sale of Labour Office publications. While the Committee did not think it advisable at present to include in the budget a larger sum under the heading of sales, it is none the less of opinion that strenuous efforts should be made to increase the sale of International Labour Office publications.

The Committee has noted that the budget of the International Labour Office for 1925 does not give for each department a double column to enable a comparison to be made between the number of officials in 1924 and the number in 1925; this omission was due to the recent re-organisation of the Office. The Committee expressed the wish that in this respect the budget of the International Labour Office should in future conform to the budget drawn up for the Secretariat.

The Committee heard with great pleasure the information and explanations given by M. Albert Thomas concerning the erection of the new building for the International Labour Office. The valuable gifts for the equipment of the building sent by the British, Canadian, Danish, French, Finnish, Netherlands and Swiss Governments in response to the appeal made by the Assembly, have been gratefully welcomed by the Committee. The Committee also expresses its gratitude to the Chinese, Hungarian, Italian and Japanese Governments, which have also promised to make certain contributions towards the equipment of the new building.

It takes this opportunity of repeating its appeal to the Members of the League and begs them to assist in equipping and decorating the new building.

The Committee thought it important that in the 1925 budget a new credit should be opened for refugee work, to which Dr. Nansen had so zealously devoted himself. It approved the Council's recommendation that this work should be transferred to the International Labour Office, since the latter has at its disposal an organisation which will enable it to deal with the refugees more economically than they can be dealt with by the High Commissariat. It was, however, faced with the difficulty that the Governing Body of the International Labour Office had as yet taken no final decision on the matter. In the circumstances it appeared necessary to contemplate the possible liquidation of this work at an early date.

After a lengthy discussion, and in anticipation of a favourable decision by the Governing Body of the International Labour Office, the Committee decided to include the sum of 203,000 francs in the budget of the International Labour Organisation under a new Chapter IIa: "Extraordinary and Temporary Expenditure," at the same time stating that this credit should be regarded as temporary, and expressing the hope that it would be possible at an early date to delete the item from the budget of the International Labour Organisation.

The Commission also subsequently approved the insertion in the budget of the International Labour Organisation of a supplementary credit of 50,000 francs for an inquiry to be undertaken by the competent services of the International Labour Organisation and of the High Commissariat, with a view of examining the possibility of settling, in great numbers, Armenian refugees in the Caucasus or elsewhere, it being understood that, by taking this decision, the Members of the League will not be in any way bound to carry out any plan which might be proposed in this connection.

C.—PERMANENT COURT OF INTERNATIONAL JUSTICE.

The Committee noted that, in spite of the increasing importance of the functions of the Permanent Court of International Justice, the budget for 1925 showed a decrease as compared with the figures for 1924. In these circumstances the Committee gave special attention to a new item: "Financial control and salaries adjustment."

The Registrar explained to the Committee that, in virtue of a recommendation by the Supervisory Commission, it had been decided that in

future each of the autonomous organisations of the League should pay its quota of the expenses entailed by the work of supervision.

III.—REPORTS OF THE SUPERVISORY COMMISSION.

The eight reports of the Supervisory Commission—five of which were communicated to members of the Committee during the Assembly—made it a comparatively easy matter to discuss the accounts and budgets of the various organisations of the League, and the decisions which have been reached on these matters are to be found in other parts of the present report and in the minutes of the Committee's meetings.

Furthermore, the Fourth Committee has adopted recommendations of a more general nature which are embodied in the various reports of the Supervisory Commission.

The Fourth Committee has considered the following points with special care:—

The Fourth Committee approved the proposal of the Supervisory Commission concerning the disposal of the surplus of 1923. It recommends, therefore, that the sum of 1,635,274.41 francs included in the budget for 1924 as "Temporary contribution to the Working Capital Fund" be reimbursed proportionately to the States which will have contributed thereto by the payment of their contribution for 1924. This reimbursement should be made after 31st December 1924; the States which had paid their contributions towards the budget for the present year would thus be able to allow it to stand in part payment of their contribution for 1925.

As regards the sum of 1,139,580.45 gold francs, which represents the balance of the surplus, the Fourth Committee recommended that the proposal of the Supervisory Commission should be accepted and that this sum should be used to cover a part of the expenditure on the construction of the International Labour Office building. It will be necessary to include this sum in the budget of the League for 1925, this new credit being compensated by an appropriation in aid of the same amount.

The Fourth Committee also carefully examined the question of the disposal of the contributions of the Argentine Republic towards the budgets for 1922 and 1923, which were not included in the schedule of allocation for those periods. It decided to propose to the Assembly that this payment of 1,756,873.40 gold francs be entered in the account of the League in a special account of the Working Capital Fund: "Temporary Account resulting from the payment by the Argentine Republic of its contribution towards the budgets of 1922 and 1923," the share of each State in this fund being indicated in the accounts. A statement showing the amount belonging to each Member of the League should be prepared and circulated.

It would be understood, of course, that this sum could, with the approval of subsequent Assemblies, be utilised to facilitate the financial operations necessary for the construction of the new Conference Hall. Once the sum is returned to the Working Capital Fund by means of credits in future budgets, a decision will be taken on the advisability of liquidating the account as between the Members which are entitled under it, in accordance with para. 3 of Article 81 of the Financial Regulations.

The Committee took note of the Staff Provident Fund Regulations, as well as of the Supplementary Report of the Supervisory Commission on this subject. It adopted the conclusions of the Supervisory Commission to the effect that no modifications entailing additional expenditure should, for the present, be made in the original scheme. At the same time, the Committee requested the Supervisory Commission to consider the questions raised concerning the cost of administration of the Reserve Fund and the Death and Invalidity Fund and to submit a report on this question to the next Assembly.

The Committee decided to amend Article 20 of the Regulations of the Staff Provident Fund, in order to give the Assembly, and not the Council, power to modify the regulations, except in cases of urgency, when decisions taken by the Council will have to be ratified by the Assembly. The Committee also approved the proposal of the Supervisory Commission to assimilate, as regards pensions, the Chiefs of Division of the International Labour Office to the Directors of the Secretariat.

The Commission desires to express its appreciation of the very considerable work accomplished by the Supervisory Commission in drafting the Staff Provident Fund Regulations. It is certain that the Assembly will be grateful to the Commission for having successfully brought to a conclusion this difficult and delicate task.

The Fourth Committee had before it the proposals of the Supervisory Commission concerning the salaries of the locally recruited staff. It approves the last report of the Supervisory Commission, which contains the following recommendations:—

“ 1. That the system of classification for the locally recruited staff which the Supervisory Commission drew up at its session in May 1924, and which is already in force, be maintained.

That the deduction of 3½ per cent. from the salaries of the locally recruited staff on the old scale of remuneration should disappear as from 1st October 1924, and that for this purpose the sum of 31,000 francs should be inserted in the budget; 19,000 francs in the budget of the Secretariat and 12,000 francs in the budget of the International Labour Organisation.”

It adopting the conclusions of the various reports of the Supervisory Commission which had been submitted to it, the Fourth Committee expresses its very warm thanks for the extremely useful work accomplished by the Supervisory Commission since the last Assembly.

IV.—MISCELLANEOUS QUESTIONS.

(a) The Committee took note of a statement of the financial position of the League on 31st August 1924, drawn up by the Secretary-General. It reports with satisfaction that the financial situation of the League has improved considerably since last year.

A member of the Committee drew the attention of his colleagues to a list of the States which had made a voluntary contribution to the Working Capital Fund. The Committee has not seen fit to make further representations to States specified in the last paragraph of Article 31 of

the Financial Regulations that they should make a voluntary contribution to the Working Capital Fund as was done by Abyssinia, Latvia and Finland; but it has given expression to its warm appreciation of the generosity shown by those countries and its hope that their example may be followed by others.

(b) The Committee asked the competent officials of the Secretariat and the other autonomous organisations to follow up the present practice, and in future to prepare a report of the new work involving new expenditure on the part of the League.

The Committee thanked the Secretariat for having added to this report a new section for decisions of the Council which may subsequently lead to further expenditure, and suggested that the Secretary-General should continue in future to supply information on that point.

(c) The Committee requested the Supervisory Commission to make a further study of the question—referred to it two years ago—of the collection of interest on contributions in arrears.

The Committee considers that the time has perhaps now come to fix a definite date by which contributions should be paid in full. Any contributions paid after that date would be increased by the amount of interest which they would have yielded if they had been available for deposit in the bank. Contributions paid before that date would be reduced by the amount of interest earned up to the date fixed.

(d) The Committee invited the Secretary-General and the Director of the International Labour Office to prepare a joint scheme for submission to the Supervisory Commission at its next ordinary meeting in January, embodying their suggestions as to a revision of the Staff Regulations, in view of the entry into force of the regulations concerning the Staff Provident Fund.

(e) The Committee requested the Supervisory Commission to examine the possibility of devising some system of amortisation to be applied to the purchase money of real estate belonging to the League. The object of the scheme would be to ensure an equitable distribution of the financial burdens involved by the acquisition of such property as between States which are already Members of the League and States which may become Members at a later date. The Supervisory Commission is asked to submit a report on this question in due course.

(f) The Committee requested the competent authorities to submit to the Supervisory Commission, after further enquiry, a report on the question of the establishment of a common printing press for the Secretariat and the International Labour Office.

(g) The Committee took note of a document communicated to it by the Vice-Chairman of the Advisory and Technical Committee on Communications and Transit, with reference to reductions in postal and telegraphic charges and railway and steamship rates. The post and telegraph authorities have not granted special rates to the Secretariat and the International Labour Office, but the Committee hopes that the recommendation made by the last Assembly will be favourably received by railway and steamship companies.

(h) The Fourth Committee associated itself with the observations made by the Supervisory Commission concerning the desirability of holding

at Geneva the meetings of the various organisations of the League, and it adopted the following resolution:—

“The Fourth Committee:

“Recognising the desirability of holding at Geneva the meetings of all the League organisations, both on account of the very considerable saving thereby effected in the finances of the League and in view of ensuring the smooth working of the Secretariat and of the International Labour Office;

“Recommends that, except for sufficient reasons, all meetings contemplated in the first paragraph should in future take place at Geneva;

“Requests the Assembly to ask the Council and the Governing Body of the International Labour Office to call the attention of all Chairmen of Commissions to this recommendation and proposes that particular mention should be made of this point in the next general report of the Supervisory Commission.”

The Committee defined “sufficient reasons” as including any undertakings concerning the next session of the Council made previous to the date of the recommendation.

(i) At its 14th meeting, after the adoption by the Assembly of the Report on the Allocation of the Expenses of the League, the Fourth Committee adopted the following draft resolution:—

“The Assembly instructs the Committee on the Allocation of Expenses to determine the number of units to be allotted to the Republic of San Domingo and, when carrying out its task of making the final adjustments in the scale for 1925, to add the number of units thus allotted to those rendered available by the contribution of the Argentine Republic.”

An examination of the budget for 1925 as a whole is proof not only of the sound basis on which the services of the League of Nations are organised, but also of the results of the careful financial policy which it has unfailingly pursued. It is no longer necessary to engage in fiercely discussed campaigns for economy; the departments themselves endeavour by well-considered financial planning to exercise the utmost economy, in close co-operation with the Supervisory Commission, in dealing with the funds of the League. The result is that the financial year 1923 closed with a net surplus of 2,774,854.86 gold francs. According to the resolutions already voted, part of this surplus (1,635,274.41 gold francs) will be distributed to the Members of the League by way of refund of temporary contributions to the Working Capital Fund. The remainder will be used to meet part of the cost of erecting the International Labour Office building. Moreover, as the League's financial situation has made it possible to complete the purchase of the Hotel National, and thus to anticipate the final payment by two years, it will be seen that the League of Nations, in addition to carrying out in full its programme of work, and actually extending the sphere of activity of certain of its technical organisations, has become the owner of a building valued at 5,500,000 Swiss

francs, has succeeded in carrying out a considerable part of the constructional work in connection with an important building to house the International Labour Office, and is preparing to establish itself permanently in a building erected at its own expense on the land generously presented by the Republic and Canton of Geneva and also by the City of Geneva. It has, in addition, established a Working Capital Fund of nearly 4,000,000 gold francs.

I will not enumerate all its achievements, for you are acquainted with them already; and although its work is sometimes subjected to criticism, as all noble and generous efforts are, the States which have contributed to the League of Nations must admit that an organisation the financial position of which is so securely established, and which has been able to engage in a series of splendid activities of the highest moral significance throughout the world, has not failed in its duty.

It must, however, be emphasised that this satisfactory situation was not attained until this year, and then only as the result of prudent and economical administration; it is absolutely essential that the same policy should be followed, lest the success of the organisation which it has taken such great care and energy to build up should be endangered.

Your *rapporteur's* task this year is a much lighter one than his distinguished predecessors have had to perform. To remind you of the work of Jonkheer van Eysinga, who reported on the organising stage of our Committee's activities; of His Excellency Baron Adatci, who, with M. Melot, laid before you the basis for the definitive financial regulations of the League; and of M. Botella, who had to undertake the difficult task of submitting a budget on which 4,000,000 gold francs had been saved—to remind you of their work is to remind you of a great achievement for which we shall always feel the deepest admiration and respect. Your *rapporteur* can do no more than imitate these splendid examples, though he has faithfully interpreted the Committee's recommendations and decisions.

The Fourth Committee's work has been performed under the direction of His Excellency Baron Adatci, the most highly intellectual and invigorating of chairmen. With the help of his recognised experience and authority, the most arduous labour has been a pleasure to us all. Our vice-chairman, M. Zumeta, when called upon to take his place, has displayed such tact as worthily to uphold the prestige of his office. As usual, Sir Eric Drummond has attended our meetings, as has M. Albert Thomas on occasions when the budget of the International Labour Organisation was under discussion. Worthy builders of this edifice, which we all desire to make the greatest and most harmonious monument of world peace, they have always proved equal to their task, and it is a pleasure to us to have yet another opportunity of expressing our admiration for them.

ANNEX IX.—Report of sub-Committee A of the Fourth Committee on contributions in arrears.

At the end of 1923 a total sum of 12,729,958.04 gold francs was owing to the League under the head of unpaid contributions for the first five

financial years, calculated after rectification of the accounts relating thereto. On the 31st August 1924, the amount due in respect of contributions in arrears had been reduced to 4,710,381.15 gold francs.

The experience gained by the sub-Committees appointed in previous years having shown that the delicate question of contributions in arrears could not be settled without the friendly co-operation of the delegations of the States which had delayed payment of their contributions, the sub-Committee ventured to request each of these delegations to instruct representatives to explain the reasons for the delay in the payment of contributions, and to submit proposals in regard to the payment of the sums outstanding. These delegations readily complied with the sub-Committee's request.

The sub-Committee has heard representatives of the delegations of the following States:—China, Costa Rica, Guatemala, Liberia, Luxemburg, Paraguay, Persia and Roumania.

China.—The Representative of China declared that his Government had every intention of effecting all the payments for which it was liable. Although the present contribution was too heavy for China's resources, so that the Government was obliged to urge most strongly that its contribution should be reduced in future, China was determined to honour the obligations which she had assumed in the past. She had already made a payment on account in the course of the current year, and would make further payments as soon as possible.

Costa Rica.—The Delegate of Costa Rica assured the sub-Committee that his Government was doing everything in its power to get Parliament to vote the credits required for paying its debt to the League.

Guatemala.—The Representative of Guatemala said that as his Government had accepted the arrangement proposed by the Fourth Assembly, there could be no question whatsoever of its not fulfilling its engagements. If his Government was regarded as being in arrears, that must be due to a misunderstanding as to the date when the first payment was due. He felt sure that, if the Committee were to propose that the first payment on account due under the arrangement should be effected at the same time as the 1924 contribution, his Government would take the necessary action. Personally, he was convinced that this question would soon be settled in a satisfactory manner.

Liberia.—After explaining the difficult financial situation of his country, the Delegate proposed, following instructions from his Government, that the payment of the arrears of Liberia's contributions should be spread over a period of 10 years.

Luxemburg.—The Representative of Luxemburg had informed his Government of the sub-Committee's proposal to settle its arrears of 50,983.89 gold francs by means of annual payments spread over a period of 10 years. In its reply, the Grand Ducal Government had insisted that the whole of its arrears should be remitted. It urged that the Third Assembly had fixed Luxemburg's contribution at 27,196.51 gold francs for the financial year 1923, while for 1924 its contribution was 24,928.75 gold francs. On the other hand, the contribution of the Grand

Duchy for the financial year 1924 had been 125,000 gold francs, which had been paid in full, and for 1922, 121,360 gold francs, which had also been paid with the exception of 50,983.89 gold francs, the balance now due. These figures sufficed to show clearly how excessive and disproportionate the contribution of the Grand Duchy for 1921 and 1922 had been. If the rate for 1923, which had been established by giving proper consideration to all the factors involved, had been adopted for the years 1921-22, the Grand Ducal Government would have had to pay, in round figures, 140,000 gold francs less than it had done. Was it not equitable and proper from every point of view that it should at least not be required to pay the balance of 50,983.89 gold francs?

Paraguay.—The Delegate of Paraguay desired to emphasise the fact that his country was not, strictly speaking, in arrears; it was merely a question of a slight difference of exchange rates resulting from a misunderstanding in connection with the payment for 1923. He would draw his Government's attention to this difference, and he felt sure that it would immediately pay the balance due.

Persia.—The Persian Delegate explained the reasons for his refusal at the Second Assembly to accept on behalf of his country the new scale of contributions. His Government had then refused to pay a contribution exceeding 125,000 gold francs, but it now accepted the new scale dating from 1924. He merely asked that, in order to justify his previous attitude, the sums in arrears claimed by the League should be erased from the accounts. When that had been done, Persia would again be on the same footing as other nations.

Roumania.—The Roumanian Delegate recalled that his Government had repeatedly urged that the burdens imposed upon Roumania were excessive. The justice of the claims made by the Roumanian Delegation had been formally recognised by the Assembly of 1923. It had not been possible, therefore, to include in the current Roumanian budget the credits required to pay off the arrears in question.

He hoped that the request for a reduction of the Roumanian contribution would be favourably received. In that case, any reduction allowed to his country would be earmarked for the payment of arrears.

In the contrary case, his Government would do all in its power to liquidate the debt by payments spread over a certain number of years.

He also suggested that the quota due to his country out of the surplus resulting from the operations of the fifth financial year should be set aside for the partial payment of her arrears.

In conclusion, it should be mentioned that, among the States whose contributions are in arrears there are four—Bolivia, Honduras, Nicaragua and Peru—which have not sent Delegations to the Fifth Assembly. The sub-Committee has therefore been obliged to consider the case of these States in the light of information placed at its disposal by the Secretariat.

Finally, the sub-Committee has arrived at the following conclusions:—

(a) With regard to China, Guatemala, Paraguay and Roumania, the explanations given by the Delegates belonging to these countries do

not appear to admit of any special solution for the time being.

(b) With regard to Liberia, it would seem advisable to suggest that the Assembly should authorise the Secretary-General to accept the arrangement proposed by the representative of that country, under which the balance of 106,581.30 gold francs in respect of the 1921-23 budgets would be paid in equal instalments spread over a period of 10 years.

(c) With regard to Luxemburg, the sub-Committee is of opinion that it is not desirable to press for the settlement of the balance due from the Grand Duchy in respect of the financial year 1922, and recommends that the total of 50,983.89 gold francs, less the share due to Luxemburg, out of the surplus on the 1924 budget, should be erased from the League accounts.

(d) With regard to Persia, the sub-Committee requests the Committee to propose to the Assembly that the Secretary-General be authorised to erase from the books of the League the arrears due from Persia in respect of the 1923 budget, less the share due to Persia out of the surplus on the operations of the fifth financial year.

(e) With regard to Costa Rica, Honduras, and Nicaragua, and to Peru and Bolivia, the sub-Committee has agreed upon a draft resolution which, while making every allowance for the legitimate susceptibilities of these five Members of the League, should lead them to give serious consideration to an abnormal position.

This draft resolution is in the following terms:—

“Whereas three Members of the League, notwithstanding repeated requests made by the Secretary-General, have not paid their proportionate share of the annual expenditure for any one of the financial years which have elapsed since the formation of the League, and whereas a fourth Member has paid no contribution in respect of any financial year later than 1920, while a fifth has made no contribution to any budget later than 1921,

“And whereas these Members appear to have overlooked the final clause of Article 6 of the Covenant, which imposes upon the Members of the League the obligation of making proportionate contributions to its expenditure; and whereas this state of affairs affects the reciprocal duties of the Members of the League towards one another and cannot continue without material and moral injury to the League itself,

“The Fourth Committee requests the Assembly to adopt the following resolution with a view to putting an end to the present state of affairs:—

“The Fifth Assembly, in accordance with the opinion of the Fourth Committee on the question of contributions in arrears, requests the Secretary-General—

- (1) to make final representations to the five Members of the League mentioned in this opinion, in order to induce those Members to respect one of the essential obligations imposed by the Covenant;
- (2) to submit to the Council, at its session in June 1925, a report on the results

of these representations, in order to afford it an opportunity of considering the form in which, should the occasion arise, the question should be placed off agenda of the Sixth Assembly.”

Panama's Claim.—The case of Panama bears no analogy to that of the States which have not fully paid their contributions.

On the contrary, although Panama has lodged numerous protests against the rate of contribution assigned to it under the scale of the Universal Postal Union, it has always fulfilled its obligations towards the League with regularity.

The members of the Assembly have taken note of the Memorandum submitted by Panama in support of its claim. They can, furthermore, if they wish to study the question more thoroughly, ask for the supplementary memorandum circulated to the members of sub-Committee A.

The main point of the argument is as follows:—At the First Assembly, the Delegation of Panama raised a strong protest against the injustice of the scale prescribed in Article 6 of the Covenant and made “the most express reservations for the future.” Having regard to this protest and to those of various other Delegations, that Assembly took a decision by the terms of which the States which were too heavily charged under the scale in force should be entitled ultimately, as soon as a new scale should be adopted, to a refund with retrospective force. The Second Assembly acted on the same lines. Panama has always maintained its reservations and insisted upon its right to the refund in question. The Secretariat, when applying for its contribution for the fiscal years 1921 and 1922, made mention of the Assembly decisions referred to above. Panama therefore asks that the undertakings made towards it should be kept and that, in default of an actual refund, the sums due to it from the League should be deducted from Panama's contributions for the coming financial years.

The First Assembly, on the 17th December 1920, voted two “resolutions” and three “recommendations” concerning the League's finances.

In regard to the allocation of expenses, Panama relies on Article 13 of Recommendation II. Article 13, para. (e) reads as follows (*see Collection of Resolutions adopted by the First Assembly, page 27*):—

“(e) The allocation for 1922 shall be so arranged by the Assembly of 1921 that Members who shall have contributed in 1921 more than they would have done if the new scheme had been in force will, in 1922, pay a correspondingly smaller amount than their quota and *vice versa*.”

It is therefore a question not of a decision incorporated in the 1921 budget, but of a recommendation by the First to the Second Assembly.

The latter, having been unable, in September 1921, to agree in regard to the adoption of a new scale, was obliged still to apply for the financial year 1922 the scale of the Universal Postal Union.

It was thereupon forced to postpone the putting into practice of its predecessor's recommendation. It did so on 5th October 1921, in

the following terms (see Collection of Resolutions of the Second Assembly, page 27):—

RECOMMENDATION I.

"The Assembly recommends that, when a revised scheme of allocation of the expenses of the League has been adopted after consideration of the fresh recommendations of the Expert Committee, Members of the League which may, with effect from the 1st January 1921, and up to the year for which the revised scheme is adopted, have paid more than they are called upon to pay under the operation of such scheme, should be entitled to a refund of the excess amount paid.

"Such refund shall be made as surplus funds accrue, and without prejudice to the maintenance of the working capital account of the League at its full normal figure."

Neither the Third nor the Fourth Assembly took this recommendation into account.

Such being the state of affairs, some remarks may be made in regard to the clear recommendations of the first two Assemblies.

From the legal point of view it must be admitted that a "recommendation" is not a "resolution," and that no right can be established in favour of States Members of the League whose contributions have been reduced under the new scale at present in force until such time as the Assembly includes in the League's budget, by an explicit decision, credits corresponding to the refunds to be made.

To tell the truth, in the correspondence addressed by the Secretariat to the various Governments in order to obtain the contributions for the financial year 1922, the question was set forth in a somewhat summary manner, and the States which were dissatisfied with the scale of the Universal Postal Union and were expecting, under the new scale, a fairly large reduction, may have received the impression that a definite undertaking had been entered into in regard to them.

But if this misapprehension fully explains the bringing of a claim like that of Panama before the Assembly it cannot justify it in law. The obligations and rights of Members of the League in matters of finance can only be determined by the Assembly, and the terms of the decisions adopted by the sovereign body of the League of Nations are not liable to extension or restriction in any manner whatsoever.

The sub-Committee having thus come to a unanimous decision with regard to the legal aspect of the question, it was also unanimous in thinking that if there were any practical means of giving effect to what was undeniably the wish of the first two Assemblies, it would be desirable to submit this means to the Assembly for decision.

The sub-Committee therefore requested the Secretariat to estimate the amount for which the League would be liable if the recommendations referred to above were carried into effect.

It was shown, as a result of this enquiry, that the total amount necessary would be 9,589,825.82 francs, i.e., about half the League of Nations normal budget.

On being informed of this very high figure, the sub-Committee was at once convinced that it would be wholly in vain to ask the Assembly to adopt the proposed course, and that to do so would involve it in long and fruitless discussions.

It remained to be considered whether, as was thought by the representative of Panama, certain precedents created by decisions of previous Assemblies gave a character of injustice, so far as his country was concerned, to the negative conclusion to which the sub-Committee had, with regret, been forced to come.

The cases in which five States of Central America, Poland and South Africa have benefited by remissions were examined, one after another. Without entering into details it should be emphasised that none of these remissions was granted on the strength of the attitude taken up by the first two Assemblies. In all these cases, it had been a question of practical considerations based upon the material impossibility, presumed or alleged, of certain Members of the League to pay the total amount of the contributions due from them. Consequently, *no refund of a contribution paid to the League of Nations has ever been approved*. The step which Panama asks that the League should take is therefore, although she denies it, a wholly new one, involving grave consequences. The sub-Committee felt bound to explain the matter straightaway and to oppose such a step being taken.

In conclusion, the sub-Committee, although aware that it will be causing to one of the most devoted Members of the League a comprehensible disappointment, is convinced, nevertheless, that its decision implies no injustice, and it has the honour to request its Committee not to entertain the claim of Panama.

ANNEX X.—*Report by the Fourth Committee on the Allocation of Expenses of the League of Nations.* (Rapporteur: M. Paolo Bignami.)

The question of the allocation of expenses between the States Members of the League is, without doubt, the most difficult question in the whole inner life of the League. In proof of this, we have only to consider the protests and complaints made and the discussions which take place every year on this subject and the changes introduced by each Assembly into the scale adopted for the previous year. The reason for this instability of the scale lies in the fact that hitherto no formula has been found which will allow the sum total of expenses to be allocated in proportion to the actual wealth of each State. It is this very difficulty of comparing the riches of the different States, or of translating them into figures comparable with one another, which has always raised and is still raising insurmountable obstacles in the way of fixing a definite scale for the allocation of expenses.

To begin with, Article 6 of the Covenant laid down the same allocation of expenses as for the Universal Postal Union; but it was not long before the inequalities of this system and the flagrant injustice to which it gave rise became all the more apparent, since the budget of the League of Nations, unlike the small budget of the Universal Postal Union, involved sums of

relative importance in proportion to the resources of some of the States.

In 1921, the Council appointed a Committee, now presided over by M. Réveillaud, which was instructed to submit an equitable scale for the allocation of expenses. This Committee has not yet succeeded in completing its task, but for 1923 it submitted a provisional scale, which remedied several obvious inequalities in the scale of the Universal Postal Union. This scale was approved by the Assembly of 1922.

Last year's Assembly adopted the same scale and, on the proposal of the Fourth Committee, in order to take account of the claims for a reduction of their allocation received from various Members, authorised the Allocation Committee to deduct the amount of the new units made available by the accession of Abyssinia and the Irish Free State from the contributions fixed for certain Members whose allocation for the preceding year imposed upon them a particularly heavy burden. This was, in fact, done during the month of October 1923. Furthermore, the Assembly decided to reduce by 12 the number of units for Japan, which had at that time been visited by one of the most terrible earthquakes that history has recorded.

The Fourth Committee found itself faced with conditions similar to those of 1923, for the Allocation Committee has not yet been able to submit its conclusions; and this year too there is a certain number of units available owing to the resumption of payments by the Argentine. Last year the available units were 5; this year they are 35. Furthermore, as in 1923, several States Members have requested a reduction in the number of units allocated to them.

The Committee first examined the report submitted on 4th July 1924 (A. 14, 1924, II), by M. Réveillaud, Chairman of the Committee entrusted with the preparation of a definitive scheme. This report states that the Committee in the light of the experience gained, is convinced that the method proposed offers definite prospects of success, and, after making mention of the obstacles which lay in its path, it suggested that, if the Assembly and the Council still reposed confidence in it and renewed its mandate, the terms of that mandate should be so widened as to authorise it to make use of the budgetary documents which it was hoped would be sent in by the different Governments, together with all other information in its possession, in order to prepare a scheme to amend the provisional scale of allocation, the new scheme to be submitted to the Assembly in 1925, and to come into force in 1926 for a period to be determined. Then, when general conditions should have improved and the exchanges stabilised, it would be possible to draw up a really permanent scheme.

The Fourth Committee concluded from this document that it would be expedient to await the proposals of the Allocation Committee and for the year 1925 to refrain from making any drastic alteration in the scheme approved for 1924, which, moreover, was modelled on that of 1923.

As things now are, any changes would be purely arbitrary and would consequently be open to numerous objections. In so delicate a matter it is desirable for this year also to keep to the same methods as have been adopted for the last two years, and to present to the Assembly a provisional scale based on that of 1924, involv-

ing in no case an increase in the number of units for any of the States Members.

The Fourth Committee further decided to give its warm support to the requests made by M. Réveillaud's Committee with a view to facilitating its work.

It had further to consider the particular measures to be proposed this year on behalf of certain States Members whose situation was deserving of special consideration.

As regards Japan, the Committee considered it evident that the last Assembly, when it reduced the contribution of that country by 12 units, desired to give proof of the solidarity of the States Members, each of whom was prepared for a certain period of time to take upon itself a share of the expenses of the League which had been allocated to Japan. The length of this period cannot yet be determined. The effects of the calamity from which Japan has suffered still obtain. The reduction of her contribution by 12 units should, therefore, certainly be maintained for 1925.

Next arose for consideration the States Members to which last year, in accordance with the mandate received from the Assembly, the Allocation Committee granted a reduction equivalent to the five available units, that is, two units to Roumania and a unit each to Greece, Hungary and Portugal. Since the above Committee was instructed to divide the five available units between those Members for whom the allocation voted by the Assembly constituted a particularly heavy burden, and since it states in its report that all the requests submitted to it were based on very serious considerations, and since, moreover, it was impossible to give satisfaction to all, it is obvious that the claims of Roumania, Greece, Hungary and Portugal, which were allowed, were the most urgent. As it appears, furthermore, that their requests were based on conditions either permanent or of at least longer duration than one year, the Fourth Committee has decided to propose the confirmation of these allowances for 1924.

The Fourth Committee next considered the request submitted by China to the Assembly in Document A. 47. 1924. X., in which China claims a reduction of the units allocated to her from 65 to 35, the request being based upon domestic, political and financial conditions. The really exceptional difficulties confronting this vast and glorious country, which contains the largest population in the whole world, deserve all the sympathy of the other States Members, and her quota of the expenses of the League should certainly be temporarily reduced. The Fourth Committee, however, has not thought fit to propose at this juncture an immediate reduction by an exact number of units, as was done last year in the case of Japan. In China's case, we are not concerned with a sudden cataclysm which unexpectedly strikes a country and causes such distress that a special proof of solidarity can afford at least some measure of moral relief. The unsatisfactory conditions prevailing in China today have developed gradually. They are internal conditions which have affected the financial capacity of the Chinese Government. Other States Members have submitted requests for reduction based upon similar considerations; they have compared what they pay with what is paid by other States, and have pleaded their financial difficulties. Thus it has not appeared either

equitable or really advantageous to China herself to accord special treatment to her at the present moment. For these reasons, the Fourth Committee, convinced that China also will receive satisfaction within the near future, has decided not to submit any special proposal on her behalf.

The other States which have submitted requests for reduction are the following:—

India	reduction of 15 units from 65
Haiti	" " 1 " " 2
Norway	" " 1 " " 11
Persia	" " 1 " " 6
Portugal	fresh reduction not specified from 9
Roumania	" " of 7 units from 29
Hungary	" " " 3 " " 3
Greece	" " " 2 " " 9
Total	29

This number of 29 units added to the 30 demanded by China gives a sum of 59 units on account of which a claim for reduction has been lodged.

These requests have been submitted at different times, some of them within the last few days. The Committee, therefore, first studied the question whether these requests were entitled to be considered. According to our regulations every request for reduction should be submitted at least four months before the opening of the Assembly; but the Committee was of the unanimous opinion that this regulation could not be invoked or applied, in view of the present provisional state of affairs in the League as regards the fixing of the scale.

After deciding, therefore, that all the requests should be considered, the Committee resolved, first, to propose that (as was done last year with the five units then available) all the 35 units, which have become available through the resumption of payments by the Argentine, should be set aside, and, secondly, that, this year, M. Réveillaud's Committee, which has made a thorough study of this question and has collected valuable material on the subject, should proceed to utilise the 35 available units in favour of the Members whose contributions according to the proposed scheme are particularly heavy. This Committee might, on its own initiative, even reduce the contributions of States which have not submitted any request, and it could also, if it thought fit, set aside a part of the 35 units in order to effect a general reduction in contributions of all States Members.

Thanks to the means at its disposal and the enquiries it has carried out, the Committee on the Allocation of Expenses undoubtedly remains the most competent body to deal capably and impartially with this difficult task.

In view of these considerations, the Fourth Committee has the honour to propose the following draft resolution to the Assembly. (See page 1144.)

ANNEX XI.—*Report of the Fifth Committee on the Traffic in Opium.*

(Rapporteur: *Mlle. Bonnevie.*)

The Advisory Committee on Traffic in Opium and other Dangerous Drugs has submitted to the

Council of the League of Nations its report (Document A. 32. 1924) on the work of its sixth session, which was held at Geneva in August this year. This report, approved by the Council (see Document A. 45) at its meeting on 29th August, was laid before the Fifth Committee.

The Report of the Advisory Committee proves that the past year has been of special importance to the opium question. As a result of resolutions passed by the Fourth Assembly of 27th September 1923, the Council, on 13th December 1923, decided that two international conferences should be held in November of this year. The first Conference, which will deal especially with the Far Eastern territories, will open on the first Monday in November, while the second and more general Conference, to which all Members of the League and Parties to the Convention of 1912 have been invited, will meet two weeks later.

The Council also appointed a Preparatory Committee to work out a draft programme for the second Conference.

The Preparatory Committee had presented a report without, however, having been able to agree upon one general plan. The question of a draft programme for the second Conference was, therefore, again examined by the Advisory Committee with the very satisfactory result that the Committee succeeded in reaching an agreement, deciding to transmit to the Council and to the Governments concerned, as a supplement to the report of the Preparatory Committee, "a series of measures which, in the opinion of the Advisory Committee, furnish a satisfactory basis for the work of the Conference and may prepare the way for a final agreement." These "measures" are specified in Annex 1 of Document A. 32, while Annex 2 contains an explanatory note on the document.

The Fifth Committee did not feel competent to examine these measures; they will all be thoroughly treated by the experts of the Conference. It could only congratulate the Advisory Committee on having reached such an agreement, adopt its report and join in the hope expressed in the conclusion of its report that the result of the work of the Advisory Committee will lead to the solution of the great and difficult problems which the International Conferences will be called upon to consider.

Our Committee also agreed to the resolution of the Advisory Committee to postpone until next year, when the second International Conference has finished its work, the further consideration of the second resolution adopted by the Assembly of 1922, with regard to an extension of the import certificate system.

The report of the Advisory Committee deals with many other matters of great interest and touches upon some serious difficulties lying in the way of its work.

The report in several points bears witness to the *general progress* of the application of the Opium Convention; the Advisory Committee has had, for instance, during its last session, for the first time the benefit of the active assistance of a representative of the *Kingdom of the Serbs, Croats and Slovenes*.

During the last year six countries have ratified the Convention, while three have signed the Protocol respecting the putting it into force.

In *Switzerland*, in full agreement with the intention expressed by the Swiss Delegation

before the Assembly last year, a law agreeing to ratification of the Convention was passed in the spring of 1924 by the National Council and by the Council of States. A Federal Law on drugs for the purpose of enforcing the Convention in Switzerland has been discussed in both Councils and the final vote will be passed very soon. The deposit of the instruments of ratification may therefore be expected to follow shortly.

The Fifth Committee has congratulated the Swiss Delegation on the step which has now been taken and the Advisory Committee on thereby securing the co-operation of one of the most important manufacturing countries. On the initiative of the British Delegate, a resolution was passed, expressing the hope that the Council of the League would invite the Federal Council to nominate a representative to sit on the Advisory Committee as soon as the Opium Convention has been ratified and put into actual effect.

During the last year, the *Import Certificate System* has been accepted and put into force by 10 more countries. In order to facilitate the application of this system, the Advisory Committee has decided that it would be legitimate for these certificates to be issued, on telegraphic instructions from his Government, by a diplomatic or consular officer of the importing country stationed in the exporting country. This decision meets several objections which have been raised against the certificate system.

It has also been decided by the Advisory Committee to make the *statistics* as simple and uniform as possible, and the Secretariat has been instructed to do the preliminary work of obtaining this result.

Under the heading of general progress should be mentioned also the communication made to the Fifth Committee by the Persian Delegate that measures have recently been taken by the Persian Government to control and gradually reduce the cultivation of opium in that country, and that his Government was prepared to ratify the Hague Convention subject to certain conditions, which would be stated before the forthcoming International Conference.

The Advisory Committee, referring to a proposal of the Union of South Africa, has adopted a resolution recommending that an investigation should be instituted with regard to the production, use, &c. of *Indian Hemp* (*Cannabis indica* or *Cannabis sativa*), and as to whether it should be treated as one of the habit-forming drugs, and that this question should be considered at the annual session of the Advisory Committee to be held in 1925.

The campaign against opium cultivation and against the abuse of narcotic drugs in the *Far East* meets, especially in *China*, with very serious difficulties.

In order to suppress the clandestine traffic the Advisory Committee recommends that "Powers having extra-territorial rights in *China* should, if they have not already done so, make regulations, the breach of which shall be punishable by adequate penalties, to control the carrying out by their nationals in *China* of any trade in the drugs to which Chapter III of the Convention applies," and also "that copies of such regulations be communicated to the Secretariat of the League."

The general situation in *China* was considered by the Advisory Committee as being very grave, the cultivation of opium having in many provinces increased to an enormous extent. The enquiry undertaken by the Chinese Government on the recommendation of the Advisory Committee in 1922 has given no satisfactory results, and the production of opium in *China* is now hampering in a high degree the control of the opium traffic throughout the *Far East*.

The Advisory Committee, considering that all measures at its disposal to deal with the situation have been exhausted, agreed to refer this question to the Council. It decided to recommend that special steps should be taken by the appropriate department of the Secretariat of the League to secure a full publication, especially in the *Far Eastern Press*, of the discussion which had taken place in the Committee on this matter, with a view to bringing the influence of world public opinion to bear upon the Chinese authorities in the provinces and to stimulating public opinion in *China* itself.

The Fifth Committee has read with great concern the documents laid before it in Annexes 3 and 4 of the Report of the Advisory Committee, and, on the initiative of the South African Delegate, passed a resolution emphasizing its sense of the gravity of the situation.

The Polish Delegate drew attention to the importance of suppressing not only the production of, but also the demand for, narcotic drugs. Where there was a demand there would always be a supply, and therefore the illicit traffic ought to be met by a suitable propaganda to instruct the population in the terrible consequences of the abuse.

A similar method had been proposed in 1922 for his country by the Persian Delegate, and the Fifth Committee has unanimously passed a resolution asking the Advisory Committee to consider the desirability of, and the measures required for, a general propaganda against the abuse of narcotic drugs.

A proposal by the Delegate of Uruguay offering the assistance of Latin-American nations to the work of the Advisory Committee was, by a majority of 23 votes to 3, passed by the Fifth Committee.

ANNEX XII.—Report by the Fifth Committee on the Traffic in Women and Children.

(Rapporteur: M. Sokal.)

The activity of the League of Nations in the matter of the Traffic in Women and Children is based on Article 23 of the Covenant:—

"Subject to and in accordance with the provisions of international conventions existing or hereafter to be agreed upon, the Members of the League will entrust the League with the general supervision of agreements with regard to the traffic in women and children."

This work is in the hands of the social section of the Secretariat of the League and at the same time it is dealt with by the Advisory Committee for the Traffic in Women and Children. A word

of praise is due to the Advisory Committee for the results achieved, thanks to the co-operation of the distinguished and highly qualified men and women who have taken part in the work either as representatives of their respective countries or as assessors delegated by international associations. The able and painstaking work of the social section of the Secretariat of the League deserves also special commendation and our sincere gratitude.

In submitting to you the results of the work of the past year, I would have you bear in mind that in 1921 a number of States signed at Geneva the Final Protocol of an International Convention relative to the traffic in women and children. Last year, as *Rapporteur* of the Committee, I brought to your notice the fact that this International Convention had been ratified by only 13 of the 23 signatories. If the work of the League of Nations in this matter is to be effectual, one essential prerequisite is a general ratification of the convention. The Advisory Committee and the Fifth Committee have always insisted on this point, and we might do well to address a further appeal to the Governments for a speedy ratification of the Convention.

Besides doing everything within their power to generalise the Convention of 1921, the Advisory Committee and Social Section have made notable efforts to solve a number of problems included in the programme of the campaign against the traffic in women and children.

In the Report of the Advisory Committee submitted to the Council of the League, the results of the Committee's work are set forth, together with a full statement of all the measures taken by the League in dealing with the traffic in women and children. When we study these reports, we must bear in mind that it is not within the province of the League to organise a direct campaign against the traffic in women and children, but that it has to confine itself to supporting the common efforts to suppress such traffic by the exercise of its right to a general supervision over the Conventions relative to the traffic.

I.—INTERNATIONAL CONVENTION OF 1921.

The Advisory Committee draws our attention to the fact that, as regards the ratifications, progress continues to be very slow. The Committee received with great satisfaction the news of the ratification of the Convention by Poland but it had less reason to be pleased with the reply from the Government of Haiti, which declined to ratify the Convention on the grounds that the traffic in women and children was unknown in that country. The Committee expressed the opinion that, if any such reasoning was adopted by other countries, there would never be any general agreement, and said that it hoped that the Government of Haiti would reconsider its decision.

The Committee has received a number of communications which hold out hopes of ratification in the near future by a considerable number of States, including certain of the great Powers. An appeal to all the Governments which have not yet ratified the Convention would be particularly desirable at the present time.

The following is a complete list of the States which have—

(1) Signed the Convention:

Albania	India
Australia	Italy
Austria	Japan
Belgium	Latvia
Brazil	Lithuania
Canada	Netherlands
Chile	New Zealand
China	Norway
Colombia	Persia
Costa Rica	Poland and Free City
Cuba	of Danzig
Czechoslovakia	Portugal
Esthonia	Roumania
Germany	Siam
Great Britain	South Africa
Greece	Sweden
Hungary	Switzerland.

(2) Ratified their Signature:

Australia	Italy
Austria	Latvia
Belgium	Netherlands
Canada	New Zealand
Cuba	Norway
Czechoslovakia	Poland
Germany	Portugal
Great Britain	Roumania
Greece	Siam
India	South Africa.

(3) Adhered to the Convention:

Bahamas	Kenya
Barbados	Leeward Islands
British Guiang	Malta
British Honduras	Mauritius
Ceylon	Nyasaland
Cyprus	Northern Rhodesia
Denmark	Panama
Falkland Islands	Peru
Fiji Islands	St. Lucia
Finland	St. Vincent
Gibraltar	Seychelles
Gold Coast	Southern Rhodesia
Grenada	Spain
Hong Kong	Straits Settlements
Jamaica	Trinidad.

II.—ANNUAL REPORTS.

In order to render the necessary documentation available, the Secretariat and the Committee collect the annual reports of all the States according to a questionnaire approved by the Committee and make a survey of all the laws and regulations in force in the different countries with regard to the traffic in women and children.

Only a part of the First Annual Reports, which were to be submitted before 1st April 1923, by the Western States and before 1st July of the same year by the States of the Far East, has reached the Secretariat. As only 20 States have fulfilled their obligations in this respect, the work of summarising the annual reports cannot be satisfactorily concluded. The Committee has drawn the attention of the Council to this point.

III.—LAWS AND REGULATIONS.

As regards the survey of the laws and regulations bearing upon the traffic in women and children, the Advisory Committee is of opinion that it

would be very desirable to procure a detailed statement of such laws and regulations from all the Governments which have not yet supplied such information. The Committee also drew the attention of the Council to this point. The Assembly will, no doubt, be interested to hear that the American Bureau of Social Hygiene has offered to compile an analysis of the laws and regulations relative to the traffic in women and children and to place it at the disposal of the Advisory Committee.

IV.—WOMEN POLICE.

The Advisory Committee in 1923 recommended the employment of women police in the campaign against prostitution. This recommendation was endorsed by the Fourth Assembly in a resolution adopted on 15th September 1923, and the resolution was communicated to all the Governments.

The British Delegate announced, during the third session of the Advisory Committee held in April 1924, that his Government had decided to appoint a Committee to examine the subject, and the representative of the United States stated that the movement in favour of the employment of women police was steadily growing in that country.

The Advisory Committee noted these statements and decided to postpone any further consideration of the question until its next session.

V.—APPOINTMENT OF CENTRAL AUTHORITIES.

According to the International Agreement of 1904 on the Traffic in Women and Children, each of the Contracting Governments undertakes to establish or name some authority charged with the co-ordination of all information relative to the procuring of women and girls for immoral purposes abroad, and this authority is to be empowered to keep in direct touch with similar departments established in each of the other Contracting States. The Advisory Committee passed a resolution recommending the Council to invite those States which had not yet appointed central authorities to do so as soon as possible.

Subsequent to the Convention of 1904, the League of Nations had been invested with clearly defined duties and powers in regard to the traffic in women and children, thereby becoming a centre of varied and useful information on this subject.

The Advisory Committee is of opinion that the international associations engaged in the campaign against this traffic might be able to bring to the knowledge of the central authority in their own countries and, if necessary, to the knowledge of the Secretariat itself, all information or any complaints which they may receive. The Secretary-General might also get into touch with the central authorities or the international associations on receiving such information or complaints in connection with this traffic.

VI.—EMIGRATION AND IMMIGRATION.

In 1923 the Advisory Committee recommended the Secretary-General, in co-operation with the International Labour Organisation, to collect information relating to the protection of immigrants.

This question was considered by the Advisory Committee in its session of April 1924, assisted by the representative of the International Labour Organisation. The Committee decided to suggest to the official International Conference on Emigration, which was to meet in Rome, a discussion on the following points:—

- (1) That in order to protect women and children migrants against the dangers of becoming stranded after having commenced their journey and thereby falling an easy prey to traffickers, it is recommended that the Governments should be asked to make, at the original point of departure, the necessary research as to the probable admission of the migrants to the country of destination.
- (2) It is considered desirable that regulations relating to the journey and the admission of migrants should not result in the separation of members of the same family.
- (3) The recognised societies for the protection of migrants, and those for women and children which take up migration work, should be given facilities for boarding ships on their departure and on their arrival and for entering migrant hospitals and detention stations.
- (4) It is desirable that competent women should be specially charged to take care of the interests of women and children on all emigrant ships.
- (5) That the steamship companies should authorise the posting and distribution on board ship of the warning and advisory notices of the recognised societies mentioned previously containing information useful to women and children migrants.
- (6) It is suggested that the measures issued by Governments for the protection of women migrants against the traffic should not be such as to interfere with the personal freedom of women of full legal age.

The Rome Conference fell in with the above-mentioned recommendations by adopting the following resolutions:—

“ In view of the necessity of affording special assistance to women and children migrants travelling overseas, through a person of good character able to make herself understood in the emigrants' language and sufficiently well trained in questions of health, the Conference recommends that it be compulsory that a woman answering the above requirements should be on board all ships carrying a certain number of women and children among its emigrants.

“ In view of the fact that it is desirable to improve the health and moral conditions of women and girls travelling alone as emigrants, the Conference recommends that on ocean-going vessels provided with cabins for emigrants, a certain number of places should be reserved for women and girls travelling alone, and that this should be done for the same fare as is charged to emigrants quartered in dormitories.

In view of the increasing number of young children travelling as emigrants, the Conference recommends that the Governments of the various maritime nations should agree to collect, centralise and exchange reports drawn up by the medical officers on ocean-going vessels on the health of these young migrants from the time of their leaving port to their arrival as also on the system of feeding on the voyage.

With a view to protecting the women and children of emigrants against the danger of being stranded on their voyage and thereby falling an easy prey to traffickers, the Conference recommends:—

“(1) That Governments should be asked to make enquiries, at the original point of departure of each emigrant, as to the possibilities of admission for the said emigrant in his country of destination;

“(2) That the regulations in force relating to the journey and admission of emigrants should not result in separation of the members of the same family;

“(3) That recognised societies for the protection of migrants, and those for women and children which take up migration work, should be given facilities for boarding ships on their departure and on their arrival and for entering migrant hospitals and detention stations;

“(4) That competent women should be specially charged to take care of the interests of women and children on all emigrant ships;

“(5) That the steamship companies should authorise the posting and distribution on board ship of the warnings and advisory notices of the recognised societies mentioned previously containing information useful to women and children migrants;

“(6) That the measures issued by Governments for the protection of women migrants against the traffic should not be such as to interfere with the personal freedom of women of full legal age. Legal measures adopted in regard to them should not differ from those adopted for all emigrants whatever their sex.”

VII.—APPLICATION OF THE INTERNATIONAL CONVENTION TO THE MANDATED TERRITORIES.

In virtue of the resolution adopted by the Fourth Assembly on the 15th September 1923:—

“The Assembly understands that the provisions of the International Convention on the subject of the traffic in women and children are not at present applied to certain mandated territories administered by Members of the League. It recommends the Council to request the Permanent Mandates Commission to give further consideration to this question.”

the Council, on 13th December 1923, authorised the Secretary-General of the League of Nations to request the Mandatory Powers to make special mention in their annual reports of the measures taken in application of the Convention.

VIII.—PROPAGANDA.

During the April Session the attention of the Committee was drawn by Senator Posner, of Poland, to the need of propaganda regarding the traffic in women and children. The Advisory Committee decided to study the question at its next session. It also requested the Secretary-General of the League of Nations to get into touch with the International Associations for the Protection of Women and Children in order to find out the scope and nature of their activities in this matter. The Advisory Committee further instructed the Secretariat to prepare a report to be submitted to the examination of the Committee, based on the replies from these international Associations or on other documents.

IX.—INVESTIGATION.

An interesting proposal was made at the last session but one of the Advisory Committee by Miss Grace Abbott, Delegate of the United States of America, regarding an inquiry by specialists into the extent of the traffic in women and children.

The Council and the Assembly adopted the American proposal and the experts were appointed. The work of the Committee of Experts was rendered possible by American financial help. So far, I am informed that the labours of the Committee of Experts are proceeding satisfactorily, but it is not possible at present to submit to you the result of this investigation.

X.—EMPLOYMENT OF FOREIGN WOMEN IN LICENSED HOUSES.

In pursuance of a decision of the Council, the Governments have been informed of the recommendation concerning the employment of foreign women in licensed houses. Among the replies received by the Secretariat, I note that the Hungarian Government states that the Ministry of the Interior has forbidden the registration of foreign women as prostitutes in Hungary.

XI.—OFFICIAL REGULATIONS.

The Council of the League of Nations has approved a proposal of the Advisory Committee in regard to a questionnaire on official regulation. Information was desired, in so far as the reasons affect the traffic in women and children, as to why certain States Members of the League of Nations have abandoned the system of licensed houses. Although interesting data have already been collected, the 14 replies to the questionnaire cannot form a complete documentation, and it is highly desirable that those Governments which have not yet forwarded their replies should make known their point of view regarding certain aspects of the system of licensed houses. The Council of the League of Nations and the Advisory Committee have both expressed their thanks to the 14 Governments which have kindly supplied the information requested. In order that the Advisory Committee may be able to continue the examination of the question, the

Council has again requested the Governments to furnish the necessary information to the Secretariat. The Council has also requested the Advisory Committee to continue its study of the question in the light of any further replies that it may receive.

ANNEX XIII.—*Report by the Fifth Committee on Refugee Questions.*

(Rapporteur: *Mrs. Swanwick.*)

The Report and Supplementary Report to the Fifth Assembly on the work of the Council contain details of the multifarious activities of the High Commissioner, Dr. Nansen, in respect to Greek, Armenian and Russian refugees, as well as to certain questions regarding repatriation of Bulgarian inhabitants of Western Thrace.

The system of identity certificates, in effect a League of Nations passport, having proved beneficial to the Russian refugees, has been extended to over 300,000 Armenian refugees and has been adopted in principle by Albania, Bulgaria, Esthonia, France, Great Britain, India, Liberia and Switzerland.

Some idea of the economy of the methods pursued may be obtained from the fact that 30,000 refugees in Constantinople have been evacuated to 45 different countries at an expenditure of about 11. per head. Thousands of refugees have been transferred from serious destitution in Bulgaria, Germany, Poland, Roumania and other countries to productive employment in America, Belgium, France, &c.

The work of the evacuation of Asia Minor has been completed, but there remain about 320,000 Armenian refugees for whom provision is not yet made. The Fifth Committee decided to deal, in this report, only with those Armenians who came outside the special scheme for establishing a national home in the Caucasus; for those, the sum of 50,000 gold francs was suggested.

The Russian refugees, numbering approximately one-and-a-half millions, still present a serious problem, and it is on their behalf that a further sum of 153,000 gold francs is named by the Fifth Committee for the ensuing year. Emigration and repatriation are the two methods by which it is hoped that the numbers of these refugees may be materially reduced, and it is for the exploration of various schemes on these lines that the International Labour Office is held to be particularly adapted.

As M. Albert Thomas pointed out in his address to the Fifth Committee, the International Labour Office has an Emigration Section and an Unemployment Section which are in touch with certain employment exchanges in Berlin, Rome, Washington, Tokio, London and Paris, and it has regular correspondents who are in contact with the administrative bodies. It seems likely, therefore, that the work may be pursued most economically by taking full advantage of the existing organisation of the International Labour Office.

The points which the Fifth Committee had to determine were:—

- (1) Should the Russian and Armenian refugee work continue in the ensuing year?

- (2) If so, what form of organisation was best adapted for the efficient and economical prosecution of the work to a conclusion?
- (3) What sum should be recommended to the Assembly for this purpose?

The Committee presents to the Assembly its answers to these questions in a resolution (No. 1) (see page 1150) which offers to Dr. Nansen the heartfelt thanks of the Assembly of the League of Nations for his great work of reconciliation, and expresses the hope that he will consent to continue it; recommends the full use of the International Labour Office for the work of repatriation or emigration, but leaves the precise form of the organisation to further negotiation between the Council of the League and the Governing Body of the International Labour Office; recommends the allotment of 203,000 gold francs for this work.

In addition, a resolution (No. 2) (see page 1150) invites the Council to take note of the statement made by M. Seferiades (Greek Delegate) to enquire into the facts and, should the matter appear to be within its competence, to take appropriate action.

ANNEX XIV.—*Report of the Fifth Committee on International Federation for Mutual Assistance in the Relief of by Peoples overtaken by Disaster.*

(Rapporteur: *M. Fernandez y Medina.*)

May I, as rapporteur, begin by quoting a sentence written in the early years of last century by one of the greatest Italian thinkers, Gioberti, who drew attention to "quel giure e interesse universale che fa oggi dei vari Stati civili quasi una republica universale;" for the inspiration of the scheme of Senator Ciruolo comes to us from Italy and corresponds to that conception of solidarity which her great men in past times regarded as the ideal towards which all civilised peoples should strive. It is a further step on the road towards the ideal, as well as a conception full of realistic force; a humane inspiration in the highest sense, but also a plan which responds to practical needs, to scientific experience and data, and to great social interests within the frame of international co-operation in its most rational interpretation.

For the old conception of charity which is often offensive to the party receiving assistance, whether it be an individual or a people, Senator Ciruolo desires by his scheme to substitute the assertion of the right and duty of solidarity and mutual aid among peoples against the combined onslaughts of suffering and death.

The Ciruolo scheme aims at establishing a permanent preventive and technical organisation which will be able to collect financial resources and prepare for their utilisation, which will possess a staff suited to the special work of providing assistance and which will be capable of applying in the international domain and on the occasion of grave disasters such measures as are carried out by the public relief authorities in the national and private domains. It will be a technical organisation designed to ensure the assistance of national collectivities to the one among them which, at a given moment, is stricken by a grave

disaster, to accord it immediate aid and to grant it the initial financial resources which are always the most necessary and which, if well administered, are also the most efficacious. Such assistance will be given on every occasion where, by reason of the imminence of the peril, the magnitude of the aid to be furnished, or the universal character of the catastrophe, it is not possible for the populations themselves to take the necessary measures by utilising the normal resources of their territories or the available funds of the State.

As this organisation, both technical and financial in character, would be placed under the competent authority of the Red Cross, it would give effect to the co-operation prescribed in this domain by the Covenant of the League of Nations (Article 25).

The scheme was brought before the Fifth Committee in the following way. The Fourth Assembly authorised the Council to instruct the Secretariat to communicate to the various Governments the documents containing the necessary information about the Ciraolo scheme as well as any remarks thereon which might be made by the Red Cross organisations, with the request that they should communicate their observations on the subject to the Secretariat. As a result of this action 28 States replied either in writing or through the intermediary of their delegates to this Assembly, 21 of that number stating that they accepted the principle of the scheme while reserving final judgment until subsequent investigation should enable the real scope of the plan to be realised as well as the obligations which would be involved in carrying it into effect. We should feel that even those Governments which have made comments or which have not given their support have paid tribute to the principles of the scheme, to the sentiments by which it is inspired, and to the author himself, whose great experience in philanthropic and social questions is recognised.

The International Red Cross organisations replied very sympathetically. At the meeting of the General Council of the League of Red Cross Societies, which was held at Paris in April-May 1924, and at which 54 national societies were represented, all the delegations, with one exception, adopted the following resolution:—

“The General Council, in expressing its approval, in so far as it is concerned, of the resolutions adopted by the Board of Governors, invites the Secretariat to assist with all the means at its disposal in the diffusion of the ideas embodied in Senator Ciraolo's plan until such time as the answers of the various Governments to the Secretariat of the League of Nations shall be made known.

“It expresses the wish that an International Conference of Governmental Delegates and of Red Cross representatives should meet to study the proposal of Senator Ciraolo. It recommends to the National Societies:—

“(a) To undertake such international duties as are proposed for them in the Ciraolo scheme;

“(b) To adopt for this purpose such statutory modifications as will be satisfactory to the League of Nations and to the Governments concerned.”

It is clear from this resolution that the Red Cross societies, which are the bodies most closely concerned with the realisation of this scheme, will adhere to it and undertake the task entrusted to them. Again, the International Red Cross organisations, the International Committee, which has its headquarters at Geneva, and the League of Red Cross Societies, which is established in Paris, have given their full support to the ideas by which the Ciraolo scheme is inspired, and have formally declared in the Blue Book submitted by them jointly to the Fifth Assembly that they desire to be the auxiliary forces of the League of Nations in this great enterprise. These two organisations represent the Red Cross throughout the world.

While the various Governments and Red Cross societies were examining Senator Ciraolo's scheme, scientific bodies, seeing the possibility of making fresh investigations in a field hitherto but slightly explored, engaged in work and initiated activities which already constitute a magnificent contribution to the great task of protecting populations exposed to disasters caused by the terrible forces of nature. The impetus given by the scheme to these investigations represents, therefore, in the scientific domain, not merely a success but also a service which would justify the highest possible tribute to its author.

The Fifth Committee has endeavoured, in view of these facts, to discover what would be the best method of enabling the examination of the scheme to be completed and its eventual realisation brought about. Certain differences of opinion have been expressed.

On the one hand, it was suggested that the enquiry should be continued in the scientific and technical domain, further efforts being made at the same time to obtain replies from the Governments which have not yet communicated with the Secretariat, and the desire was expressed that we should get into touch with the International Red Cross with a view to asking for its co-operation in the event of a modification of its legal statutes being necessary. On the other hand, the great majority desired to give practical effect to the scheme by means of an investigation carried out by a preparatory committee; the latter would be instructed to determine, in conjunction with the Secretariat of the League and the author of the scheme, the exact sphere within which the proposed federation would be called upon to take action, i.e., the kinds of calamity in respect of which it would intervene and the extent of the relief which it would grant in cases of extreme urgency, the needs which would have to be met, and the approximate contribution which States would be called upon to pay, and it would then lay before the Council of the League concrete proposals relating alike to the objects in respect of which assistance would be given and to the contribution which each State might be called upon to pay, in order that the Council, after consultation with the various Governments, might submit to the Assembly such resolutions as it considered desirable. A resolution in this sense has been adopted.

The expenditure on the proposed investigations and other work has been estimated at 30,000 francs. The Italian Red Cross Society has generously offered 10,000 francs and the League of Nations will provide 20,000 francs. It is clearly understood that this work will be of a preparatory and temporary nature and that the

League of Nations is not pledged to create an organisation or to establish a system which would impose a permanent charge on its budget.

Consequently, the only question for the moment, according to the terms of the proposal submitted to you by the Fifth Committee, is that of undertaking the necessary investigations to demonstrate the methods by which the scheme could be realised. The proposal does not involve any obligations as regards the eventual solution, still less as regards the financial contributions of the various States. In any event, as in the case of all international organisations and conventions, even after a final decision favourable to the accomplishment of the proposed enterprise, adhesion would of course remain dependent upon the decision of each State.

At the moment when we are called upon to take a decision which may lead us towards the realisation of a universal enterprise in harmony with the spirit of solidarity by which the League of Nations is inspired, and also with Article 25 of the Covenant, the terrible reality of the latest catastrophe to which the noble Japanese people, so hardly tried in recent times, has fallen a victim, comes as a moving appeal to us, urging us to realise the necessity of a permanent technical preventive organisation and of mutual international assistance.

The Fifth Committee invites the Assembly to adopt the following draft resolution (see page 43).

ANNEX XV.—Report of the Temporary Slavery Commission, dated 12th July 1924, adopted by the Sub-Committee of the Sixth Committee.

The Temporary Slavery Commission, which was constituted in pursuance of the Council's decisions of 14th March and 12th June 1924, met at Geneva on 9th July. In the course of its session, which lasted until 12th July, it held seven meetings.

Before giving an account of the work which the Commission has accomplished, its members wish to thank the Council for the honour it has done them in asking them to take part, under the auspices of the League of Nations, in the study of a question whose significance and importance they fully appreciate.

At its first meeting, the Commission, after offering the Chair successively to Sir Frederick Lugard (Great Britain) and M. Delafosse (France), appointed its officers as follows:—

Chairman ... M. Gohr (Belgium),
Vice-Chairman ... M. Freire d'Andrade (Portugal).

In its resolution of 14th March 1924, the Council instructed the eight experts who were to be appointed to sit on the Commission "to continue temporarily the enquiry on slavery and to communicate to the Council their conclusions on this subject." In more precise terms, the Council, in its resolution of 12th June 1924, after referring to various documents which were to be communicated to the members of the Commission, decided to request the Commission "to follow the lines indicated in these documents and particularly in the resolutions of

the Assembly and the Council and to acquaint the Council, if possible before its next session, with any proposals it may have to submit."

The members of the Commission were all somewhat uncertain as to the exact nature and limits of their task.

Neither in the resolutions adopted by the Third and Fourth Assemblies nor in those passed by the Council on 14th March and 12th June 1924, did the Commission find any exact definition of its competence. It accordingly concluded that its first business should be to submit to the Council a summary of the various questions which it might consider. At its first meeting, therefore, the Commission undertook to draw up a systematic enumeration of the various subjects which might be regarded as coming within the scope of its enquiry. As a result of its discussions on this point, it has the honour to submit the following syllabus:—

1. (a) Enslaving of persons; slave-raiding and the slave trade;
- (b) Slave dealing (including transfer by exchange, sale, gift or inheritance);
- (c) Slavery or serfdom (domestic or pedial).
2. Practices restrictive of the liberty of the person, or tending to acquire control of the person in conditions analogous to slavery, as for example:—
 - (a) Acquisition of girls by purchase disguised as payment of dowry; it being understood that this does not refer to normal marriage customs;
 - (b) Adoption of children, of either sex, with a view to their virtual enslavement or the ultimate disposal of their persons;
 - (c) All forms of pledging or reducing to servitude of persons for debt or other reason.
3. Measures taken to check practices under 1 and 2 and results obtained.
4. System of compulsory labour, public or private, paid or unpaid.
5. Measures taken or contemplated to facilitate the transition from servile or compulsory labour to free wage labour or independent production.

In examining this text, the Council will observe that the Commission therein has enumerated the various practices in restraint of human freedom which no doubt gave rise to the decisions of the Assembly and the Council of the League of Nations.

Of these practices the first may be regarded as more definitely of an international character. The Commission thinks, therefore, that it should first devote its attention to the slave trade, with a view to devising, if possible, some effective method of completely and finally extirpating this unspeakable abuse, so far as it still exists in the world.

After examination, however, of the text of the Council's decision of 11th December 1923, and noting the Council's express desire that a representative of the International Labour Organisation should take part in its discussions

and taking into account also the provisions of Article 23 of the Covenant of the League of Nations, the Commission concluded that the Council wished it to investigate the situation regarding slavery and the forms in which it now exists, together with some suggestions which, even outside the realm of international relations strictly defined, might facilitate the gradual emancipation of slave labour throughout the world.

The Commission is of opinion (as its programme indicates) that the question of "Slavery" must be regarded from a comprehensive standpoint, and that it should endeavour to indicate some practical measures calculated in its opinion to ensure the gradual suppression of slavery and analogous forms of servitude, and to facilitate the development of the social and economic conditions which should succeed it.

The Commission recognises that this is a very delicate task, but it believes that it will be possible to offer suggestions of a practical nature which might be of value to the States which are endeavouring to meet the problems with which they are faced in their efforts to "secure the gradual suppression of all forms of slavery."

The field of investigation having been defined in accordance with the Council's views, there would remain the question of deciding how some useful suggestions could best be put forward on this basis. Before the Commission can submit to the Council any recommendations for future action, it must obviously collect as much reliable and practical information as possible.

Apart from the expert knowledge of its members, there are two kinds of source upon which the Commission can draw for this information. On the one hand, it can base its work on the information embodied in the replies of the Governments to the two questionnaires already sent to them by the League, and any additional documents with which those Governments might wish to furnish it after noting the Commission's programme of work as approved by the Council.

The Commission, after full consideration of this matter, was disinclined to recommend to the Council to send a new questionnaire lest it should trespass on the forbearance of the Governments. On the other hand, the Committee highly appreciates the value of the particulars contained in some of the replies it has received, and it will, of course, be most grateful for any further information from official sources. It hopes that the Council will inform the Governments of its attitude in this connection.

Further, the Commission considered the Fourth Assembly's resolution on slavery, requesting the Council "to entrust to a competent body the duty of continuing the investigation with a view to obtaining further information on the subject..... if necessary from individuals or organisations whose competence and reliability are recognised." It also recalled the fact that, by its decision of 11th December 1923, the Council had instructed the Secretary-General to enquire of the States "whether they would see any objection to indicating any organisation or individual in their country who might be able to give reliable and valuable additional information on this subject,"

From this last decision, on which several Governments have taken action, the Commission concluded that the Council did not intend it to forego the advantage of obtaining information from unofficial sources.

The Commission fully realised, however, how extremely delicate this side of its work would be. It therefore devoted special attention to determining the method of obtaining such information, which method it proposes to submit for the Council's approval. Its suggestions on this point are as follows:—

The Commission resolves, in regard to obtaining further information from private individuals and organisations in accordance with the decision of the Fourth Assembly on 28th September 1923, that:—

" (1) The Commission will consult those organisations and individuals which may have been or may be designated by the Governments of the States in whose territories the headquarters of such organisations or the domicile of such individuals may be established, and according to the methods which may have been or may be indicated by the said Governments;

" (2) In the case of communications received from other organisations or individuals than those indicated by Governments, the Commission will, if it considers such communications worthy of consideration, ask the Government in whose territory the headquarters of the organisation or the domicile of the individual giving information may be established, whether it considers the organisations or the individuals competent and reliable. The decision as to whether the communications are worthy of consideration will be delegated by the Commission to a sub-Committee of three of its members who will confer together by correspondence.

" (3) All communications received under the conditions defined in para. (1) above, and such communications concerning the authors of which no unsatisfactory reply to the enquiry referred to in para. (2) has been received, will be forwarded to the Government under whose administration the facts alluded to are alleged to have taken place or to prevail.

" (4) The Commission may, if it considers such a course useful, invite an individual who, or the representative of an organisation which, has forwarded a communication in writing, to appear before it in order to give any fuller explanations of such communication as the Commission may desire."

Should the Council approve both the object outlined above and the methods suggested as suitable for attaining it, the Commission would at once commence operations. Arrangements would be made for transmission to all the members of the Commission of information received

from Governments and from the reliable organisations or individuals mentioned above, as well as any noteworthy particulars which might be received by the Secretariat of the League from other quarters. Each member would then forward his observations to the member of the Commission appointed general *rapporteur*, who would in turn collate them and prepare a draft report.

On the proposal of Sir Frederick Lugard, which was cordially supported by all his colleagues, M. Delafosse kindly consented to undertake the onerous duties of general *rapporteur* to the Commission. M. Delafosse's draft report would be forwarded to the other members of the Commission before the next meeting. That session, which might be held in about a year's time, would be wholly devoted to the discussion of this draft report, which would be forwarded to the Council in its final form.

In concluding the present report, the Commission wishes to express its regret that circumstances have prevented it from putting the Council in a position to give an account of the final results of its work to the Fifth Assembly in conformity with the wishes of the Fourth Assembly. The Commission, however, is sure

that the Council will understand that, before obtaining its express sanction for the programme of work which has been outlined above, and having nothing to go on beyond the information furnished in reply to the two questionnaires referred to, the Commission was not in a position to make proposals in regard to a question beset with difficulties of every kind.

Without anticipating the results of an investigation largely depending on outside co-operation, the Commission wishes to assure the Council that it will carry out its work with the greatest diligence in the earnest hope of being able to co-operate with the various Governments in this great task, under the auspices of the League of Nations.

Should the Council desire to have fuller information regarding the view the Commission has taken of its duties, its Chairman would be glad to attend the meeting at which the Council examines the present report. Should the Council so decide, the Chairman of the Commission would be prepared to represent it in the competent Committee of the Assembly, in the event of the Fifth Assembly's resuming consideration of the question of slavery.

APPENDIX IV.

**ANNEX I.—Report of Speech by the
Right Hon. James Ramsay
MacDonald, M.P., Prime Minister of
Great Britain, in the Assembly, on 4th
September 1924.**

Mr. President, I am very glad that it has been my good fortune to have an opportunity of taking part in the work of the League of Nations. The League of Nations, both as an organisation and as a spirit, is struggling under somewhat adverse circumstances, and I am here to-day as a pledge that the country I represent—Great Britain—will use every means in its power to widen the influence and to increase the authority of the League of Nations.

Ah, my friends, the emotions that come to one as one stands here, facing delegates from over half a hundred nations—many of them devastated, all of them impoverished, owing to the war!—facing delegates battling against those adverse circumstances, and yet hoping against hope very often, determined sometimes when determination appears to be little better than folly, that by our intelligence and by our good will we shall, through the League of Nations, lay securely and finally the foundations of peace upon earth.

The late war was commended in my country as being a war to end all wars. Alas, the human eye sees but little prospect of that hope and that pledge being fulfilled. I do not know what the Divine mind sees—the Divine mind that sees the future as clearly as you and I can see the present—but I hope it sees more calm confidence in the future, and more happiness in it, than the human mind can see—that human mind which has to nourish its faith upon appearances. If the future is to justify our confidence and our happiness, it will be owing solely to the deliberations, the negotiations, the work and the agreement of the League of Nations.

The danger of supreme importance which is facing us now is that national security should be regarded merely as a military problem and based solely on the predominance of force. For a moment this may serve. For a moment it may lull to sleep. For a moment it may enable large nations and small to believe that their existence will no longer be challenged. But, my friends, there is an evolution in every plan and a consequence of every idea, and if, after all the appalling evidence in history that military force cannot give security, we to-day go back and repeat the follies of our ancestors, then the security we give for the day is only a betrayal of the nation that we lull to sleep under it.

In offering some observations upon this theme and in commenting on various proposals which have been made in connection with it, I wish to assure the Assembly that the fact of my speaking first does not mean that what I am going to say is something thrown at your heads and that you will be allowed to say what you like afterwards. No, my friends, we are for co-operative discussion. We are here to listen to one another. We are here to put our ideas into a common pool and no delegation is more determined to pursue that policy than the

British Delegation of which I happen to have the honour to be the head at the present moment.

Now, let us be quite clear upon one thing. The British Government has not given an adverse report upon the draft Treaty of Mutual Assistance because it is indifferent to the problem of national security. That is not true.

The British Government feels, as I am sure the whole of the Assembly feels, under the greatest obligation to the men who sat on the Commission that produced that draft Treaty. These things have to be done. Why, my friends, none of us have inherited a tilled soil prepared for peace. I wish we had. Our position rather is the position of the early pioneer who went to Australia, to Africa, and to the very remote parts of the world to find that, within an inch of the landing place where they set foot, they had to blaze the trail, they had to fell the forest, they had to dig the ground, they had to uproot the evil roots that were in possession of the ground in front of them. They toiled and toiled and toiled not for immediate harvest, but in order to make great preparations; as a result of that preparatory toil you are shown, when you now go to these regions, their smiling and their peaceful fields. Such is our worry. Such is the work of the League of Nations. Such is the contribution to that work made by the Commission, which prepared this draft Treaty which the British Government, for various reasons, has stated that it cannot regard as the final word upon this important subject.

Our position briefly is this. We do not believe that military alliances will bring security. We believe that a military alliance within an agreement for security is like a grain of mustard seed. Small to begin with, it is the essential seed of the arrangement, and that seed, with the years, will grow and grow until at last the tree produced from it will overshadow the whole of the heavens and we shall be back in exactly the military position in which we found ourselves in 1914.

Moreover, the British Government, wishing to carry out to the full, every comma, every sentence, of any obligation to which it puts its signature, cannot, will not, put its signature to an indefinite document. If we are going to undertake obligations, if we say we are going to carry them out, we want to know exactly what they are. An obligation based upon psychology, an obligation based upon fear of other people, an obligation that we may have to meet, not because a nation has been faced by enemies sent to beset it by the Devil, but because a nation may be beset by enemies on account of its own policy; this sort of obligation we cannot undertake because, if we did undertake it—I want to tell you perfectly honestly—we should find, when we tried to carry it out, that public opinion would make it impossible for us to do so.

Further, if the Assembly will look at the amendments to the draft Treaty which have been proposed and will put them all in, put them all together, it will see that together they destroy the draft Treaty even when they are offered in support of it. Certain amendments

proposed by certain Governments and described as essential were considered and rejected by the Commission, and if they had not been so rejected the Commission would never have obtained unanimity in the preparation of the draft Treaty.

I may be wrong, but I am profoundly of the opinion that, for these reasons, if such an obligation were imposed upon the nations affiliated to the League it would break the League; great secessions would take place and a large number of nations that would remain in affiliation to the League would do so with such a reserve that the obligation they had accepted would be of no value whatever. The British Government has, therefore, felt that the last word has not been spoken regarding this draft Treaty and it wishes that the matter shall be further considered.

What assistance can we give now to those preparing the way? Where does the League stand in its pursuit of peace and of the essential conditions under which arms can be reduced? I think the first problem is the League itself, its composition. This League, if it is to have the authority to give security, must be a comprehensive League. This League will remain inefficient unless it includes not only the threatened nations but the threatening or the so-called threatening nations. Both must be there.

There are our American friends, remote geographically, blissfully and enviably separated from the troubles that lie at our doors. Europe for the last few years has not offered America a very attractive companionship. If, like a beloved partner, America had found us sitting at its fireside, I am not quite sure that its domestic felicities would have been of the very best kind. I, therefore, never believed that America would do anything but leave us alone, but America has in fact rendered us very valuable help. We have never, so far as I know, asked the assistance of America to do *ad hoc* work, but she has come in and royally given us all the support that she possibly can.

In the recent London Conference, which I think has so splendidly changed the European outlook, America played a most helpful part. One day, not because we are going to appeal to her, not because we are going to bring pressure to bear upon her, but because we ourselves shall have been wise enough to render successful our own efforts for peace, America's own heart will incline her to come in, and then she will find that a welcome and an honoured place are awaiting her in our counsels.

But there is Germany, and there is Russia. Now, Germany cannot remain outside the League of Nations.

If I may use a formula that may be misunderstood—I hope it will not be—we cannot afford to allow her to remain outside. There is not a single question regarding armaments, regarding the conditions of peace, regarding security, regarding the safety and the guarantee of the existence of the small nations—not a single one—that we can discuss amongst ourselves, with a menacing vacant chair in our midst.

Neither can Germany remain outside in her own interests. Negotiations with an isolated Berlin can never be effective. The London Conference created a new relationship between Germany and the other European States and

that relationship should now be sealed and sanctified by Germany's appearance on the floor of this Assembly.

The League of Nations takes upon itself the first task of creating once again a European system, and that European system never will exist until our late enemies have ceased to be our enemies and have come in to take their co-operative part in that system. I hope that, in spite of the difficulties and the technicalities that still, apparently, remain in the way, this will be done at once.

Let us begin a new era for the League, as I hope we are beginning a new era in Europe. I should like very much, sir, if it were possible, during the three or four weeks that the Assembly will continue its session, that this matter should be taken up, not with an idea of postponing it, but with the idea of settling it now, once and for all.

As regards Russia, the situation is somewhat different. The Russian Soviet Government believes in revolutions; it believes in the dissolution of the old as an essential preliminary to the creation of the new. That being so, I can understand that there is little attraction for them in the League of Nations. We are evolutionists. The revolutions in which we believe are the organic revolutions to which life has always to respond if it is to remain adjusted to its new circumstances. This is our view.

But even Russia has changed. It is now making Treaties; it is now pursuing diplomatic methods. I hope that the agreement reached between the British Government and the Soviet Government of Russia is the first, not only of a series of agreements, but the first indication that the Soviet Government itself is prepared to become part of the co-operating European system, and so complete the authority and influence of the League of Nations.

This is what the League itself wants. Now, what about its work? How are we going to approach this problem of peace and security? In talking to friends, Mr. President, I am sometimes appalled to find how little outsiders know about the practical work of the League. If, in their minds, the League makes a mistake—say Silesia—it is blazed abroad in every newspaper throughout the world. If the League gets a rebuff—say—well, perhaps I had better not say—you can fill in the blanks according to your tastes and your knowledge—that too is blazed abroad. The quiet work done by the Committees is realized by very few. I hope that, before the month is over, the world will be better acquainted with our magnificent practical work than it is at present.

In connection with the question of peace and security, I want to mention one matter that gives me much concern. Apart from the great national organisation of arms, there is a very active and a growing illegal and illicit private traffic in and export of arms. This is not satisfactory. The understanding is that these shall not exist; in certain treaties such practice is absolutely prohibited, and, if I may say it, for any of the Allies to wink at it and not to put their feet hard down upon it is not playing the game.

I hope that all the Powers directly or indirectly concerned in this manufacture and traffic will be frowned upon, without the least hesitation,

by all the authorities of the League of Nations. The British Government takes a very firm stand in the matter, and I appeal to you for your support.

This, however, is a side-issue, important through it may be. The main problem is the problem of national security in relation to national armaments. Let us face it as realists—not as sentimentalists or as mere idealists, but as scientific realists, who go right to the root of the whole problem. The superficial school, which imagines that, by putting certain phrases upon paper, it will secure an enforceable obligation, is at once met by the impossibility of giving definitions to two simple words. First of all, there is security. What is security? Secondly, there is aggression. What is aggression?

Considers the latter word: What is aggression? Has any wit yet devised an act which of itself makes first aggression absolutely clear? As a matter of fact, everybody who knows their history knows this: the ability to assign responsibility for aggression is always about the last thing to emerge, and belongs to the historian who studies and writes 50 years after a war and never to the politician who lives through the beginnings of a war.

We can, however, approach the problem very closely.

The one method by which we can secure, the one method by which we can approximate to an accurate attribution of responsibility for aggression is arbitration, the setting up of a court or, rather courts—because one court will not suffice for the purpose. There are judicial questions. There are political questions. There are questions that can only be settled by wise and enlightened citizens. There are questions that can only be settled by the trained expert lawyer. A system of arbitration is a system of watching the clouds, a system of warning when a cloud, just the size of a man's hand, appears above the horizon, and the taking of steps at once, not of a military kind, but of a rational and judicial kind, to charm it out of existence. The test is, Are you willing to arbitrate? The test is, Are you willing to explain? The test is, Will you come before us and tell us what you propose to do? The test is, Will you expose your commitments? Are you afraid of the world? Are you afraid of daylight, a lover of darkness and timorous lest the world should know what is in your mind? Such is the test, the only test.

We are now passing through a transition period. I do not believe that there is any man in this Assembly, not even my dear good friend Herriot, who feels the burden of that transition period more than I do. We have inherited tremendous responsibilities. God knows that sometimes we feel they are too heavy for us. We have inherited the working of an old system. If we were to issue an instruction that a button should be removed from the vest of some official we should be almost afraid of the result and the repercussion of such a change. The world seems a weary place to us, to those of us who have not the luxury—I hope I shall not be misunderstood—of being Prime Ministers of unitary States, but who have the awful burden of dealing with our own country one day, with a dominion the next day, with a foreign country

the day afterwards, with a mandated territory the day after that, with all the complexities of race, with all the complexities of creed, with all the complexities of historical traditions. There we sit at the same desk day after day, turning at one hour to one question and the next hour to the other—I say, God knows that the burdens of such an office are very often too heavy for a pair of human shoulders to carry.

All the more anxious are we in this transition period to welcome changes. We must hold out one hand to the past and the other hand to the future, and move steadily on, taking the past with us and embracing the prospect of the hopes and comforts which the future gives us.

I must, therefore, be very careful. I am in favour of arbitration. I see nothing else for the world. If we cannot devise a proper system of arbitration, then do not let us fool ourselves that we are going to have peace. Let us go back to the past! Let us go back to competitive armaments! Let us go back to that false, white sepulchre of security through military pacts—there is nothing else for us—and let us prepare for the next war, because that is inevitable!

What is the problem? We must devise more successfully than we have done hitherto the courts that are to operate under a system of arbitration. We must explore more fully than we have done hitherto the matters that ought to be referred and can be referred to those courts at any rate to begin with. We must visualise with more accuracy than we have done hitherto the nature of the obligations imposed upon States which arbitrate. For instance, the question has arisen as to whether the Optional Clause in the Statute of the Permanent Court of International Justice would operate in war or in peace. Some of my friends say that it is universal. Others of my friends say: "No, it only operates in peace." That question must be settled and established clearly.

Further, I want to know how far my Government—my colleagues are with me in this—can go, even if some of you do not go so far. Ah, it is that terrible problem of the practical blending of the ideal with the real which presses upon all of us who want to change the mind and the system of Europe.

I should propose that the Article in the Statute of the Permanent Court which deals with arbitration (that is, the Optional Clause) should be very carefully examined by a Commission appointed by us, with a view to its being placed before this Assembly in a somewhat more accurate, expanded and definite form than it now has. It is the desire of the British Government to sign undertakings like the Optional Clause of the Statute of the Permanent Court, but before so great a step is taken it is proper that the clause should be drafted in the most specific form possible. I have consulted my colleagues and also the Governments of the Dominions with a view to considering the points to which I have referred.

An essential condition of security and peace is justice. Justice must be allowed to speak before passion. That is arbitration.

Parallel with this problem of arbitration is the direct problem of armaments themselves. I am very glad—and I think the Assembly will thank me for taking note of this—to see here my old friend the Prime Minister of Denmark

(M. Stauning), whose declaration regarding the army and navy of Denmark has really led the way for sane countries all the world over.

As regards naval armaments, America has taken the first step. We came to an agreement there. Sometimes I have heard things said about a certain review at Spithead a week or two ago. I wonder what the gentlemen who object to the review would have said if I had kept all those ships in my pocket and assured the world that I had none at all. I challenge this Assembly on this question. We came to an agreement at Washington. We signed that agreement. No country which signed that agreement is fulfilling it in the letter and in the spirit with more accuracy and more determination than Great Britain itself. We have fulfilled that agreement as we fulfil all agreements of that character. I think that we might now go further. I hope that Washington is not "weary in its well-doing." I should be very glad to have further communications so that more explorations can be undertaken on the great problem of naval armaments.

Land armaments, however, are far more difficult to deal with, and they touch us here far more intimately. Let us be realists again. Supposing that this Assembly was here and now to convene an International Conference for the reduction of armaments. What would happen? Absolute failure. Why? Because the preparations for it have not been adequately made. We must prepare the way. We must have an atmosphere. We must have a confidence. We must have a machinery. There lies the opportunity for the League from this very moment onward. The London Conference has helped by restoring a reasonable national policy in Europe. If Germany were in the League what a tremendous help that would be! If we had the beginnings of arbitration, well devised terms of reference, courts well considered and the larger Powers subscribing to the declaration, what a substantial step forward that would be! All this can be done this year. Why not? What is in the way? Our own fears and our own suspicions. If we would only take our courage in our hands, if the large nations and the small represented here to-day would only meet, would only create the right commission, and inspire it with the determination that we had in London that no obstacles should baulk us, the success of that commission would be assured within a year, and the League of Nations would be able to summon the countries to a Conference and then, by careful handling, by patient work and by reasonable consideration, would obtain a successful issue for that Conference.

One of the essentials is that all the nations must be included in the Conference. Another essential is that it must be held in Europe. It will be prolonged and if the really responsible men are to be present they must be not very far from the seats of their own Governments and be able to keep their hands on their national affairs whilst representing the interests of their countries at the Disarmament Conference.

I have one final proposal—and I apologise for the length of time I am taking in addressing you this morning. My final point is this. The Covenant of the League of Nations contains ample provisions for starting arbitration, for the sanctions that are necessary and for all

other eventualities that may arise. Alas, the Covenant was drafted immediately after the war and before statesmen were able to see clearly the precise nature of the problems which the nations would have to face a year or two after the Armistice.

What we require now is that the Covenant itself should be elaborated. We do not want a new foundation. Before it is elaborated, it ought to be understood. I was very much surprised to find that some Members of the League of Nations took the view they did of a reference in the letter sent by the British Government to the Secretariat of the League regarding the draft Treaty of Mutual Assistance—the reference to the fact that the Council of the League in military matters could only recommend. I was surprised to find that some people imagined that the British Government was thereby trying to take from the Council some power which it now possesses. This is not true. There was never any such intention. What is wanted is an accurate reading of the Covenant. Those who signed the Covenant, Article 16 for instance, made it perfectly clear that on military matters the Council would only be an advisory body; on economic and other matters the signatories to the Covenant did not even call in the Council, but there and then took upon themselves directly the obligation of acting in a hostile way to nations that did not observe the provisions of the Covenant. Ah, the Covenant is very much stronger than some of our friends imagine.

The British Government thinks that the matter should now be explored, beginning with the Covenant, applying the Covenant to our present circumstances, and, in the spirit of the League of Nations, developing a policy that will give security and reduce armaments.

The British Government stands by the Covenant. The British Government has no wish to reduce the authority of the Council. It rather wishes to extend the authority of the Council consistently with the continued existence and the prosperity of the League. Articles 10, 12, 13, 15 and 16 of the Covenant might well form themselves into a charter of peace if we would only apply them and fill them out.

What is the position in which we find ourselves? We are here preparing, as I see it, for the International Armaments Conference. This ought to be our object. If we can remove the obstacles we shall have done a tremendous amount of work—work which, by its very nature, is bound to be permanent, once it is done, because the reason and the morality of the world will stand by it so loyally.

Here, we are going to make speeches. We are going to lay down our views. The people who will speak are responsible men and women. We have a draft Treaty in front of us. We have the various Governments' criticisms upon that draft Treaty. We have, in addition, a most interesting and profitable American plan. Let us take those as our preparations up to date. Let us hand them over to a commission that will prepare for the Armaments Conference and let us see to it that even before we rise, before the Assembly breaks up, some substantial progress shall be made in co-ordinating these ideas and in producing from their apparent diversities some measure of agreement and consent.

During the next few months let us work in our own countries, hard and sleeplessly, to remove all obstacles; if that is done I am sure that the League will never require to apologise for itself in the eyes of the world. We here are practical men, responsible for Governments and responsible for the welfare of our nations, and there is not a single one of us who will sacrifice national welfare. Fortunately, it is not necessary, because the higher the standard of welfare of any nation, the more valuable is that nation as a co-operator with other nations in the European system. The world expects much of us. Can we not have the courage to give the world what it expects?

History is full of invasions, full of wars and of aggressions and there have always been pacts, always military guarantees and always military security. The history of the world is a history which shows the nations always ready for war and always at war, and the one is absolutely essentially and organically connected with the other. History is full of the doom of nations which have trusted that false security.

Above all, I appeal to the small nations, to the leaders of the small nations which maintain the frame of historical and personal individuality in a military world. Pacts or no pacts, you will be invaded; pacts or no pacts, you will be crushed; pacts or no pacts, you will be devastated. The certain victim of a military age and the military organisation of society is the small nation which depends upon its moral claims in order to live. Evil will be made upright and entirely free to do its work, if you fling yourselves once more into that security which has never made you secure since the world started.

Our interests for peace are far greater than our interests in creating a machinery of defence. A machinery of defence is easy to create, but beware, lest in creating it you destroy the chances of peace. The League of Nations has to advance the interests of peace. The world has to be habituated to our existence; the world has to be habituated to our influence; we have to embody in the world confidence in the order and the rectitude of law, and then nations—with the League of Nations enjoying the authority, with the League of Nations looked up to, not because its arm is great but because its mind is calm and its nature just—can pursue their destinies with a feeling of perfect security, none daring to make them afraid. This is the outlook, and this is the policy by which the British Government stands and to which it invites the League of Nations to adhere.

ANNEX II.—Report of Speech by His Excellency M. Edouard Herriot, Prime Minister of France, in the Assembly on the 5th September 1924.

Mr. President, ladies and gentlemen.—It is with the profoundest sentiments of respect for the majesty of this assembly that I now come before it to speak in the name of France.

More than ever since the recent general election my country has displayed its desire for peace, not only for itself, but for all nations and more especially for those represented here by their chief representatives; nations which

claim the right to work in peace and honour; nations, all of them, with equal rights, the smallest having the right to the same consideration as the greatest.

Within the family of States leagued together to protect themselves against the terrible scourge of war, France offers her wholehearted collaboration. Her own destiny has frequently been interrupted by the shock of arms. She knows only too well the sacrifice, the mourning, and, it must also be said, the injustice which result from war. She knows only too well how, if war gives birth to heroism, it also brings in its train immorality; her one desire, in fulfilment of the solemn oaths which were sworn at the close of the last great conflict, is to see the end of this barbarism.

France, then, is strictly faithful, not only to the letter but to the spirit of the Covenant which is placed in the fore-front of the Treaty of Versailles and is guaranteed by the most honourable signatures in the world: it is a Covenant of co-operation, a Covenant of security, a Covenant of justice, a Covenant of right, founded upon a series of correlated ideas which cannot be separated without mutilating the whole. It is in the development and the fullest possible application of the articles of this solemn instrument that France seeks for the rules which are to guide her future action and her foreign policy.

First of all let us be just to the work that has been done. As a newcomer among you, I see and appreciate it perhaps better than you yourselves.

The idea of peace is not new. We see it imprinted on the minds of the noblest men of all ages, and, at the end of the great convulsions of history, even on the minds of realists. The originality of the League of Nations consists in this: that in four years it has rendered important services and has peacefully settled the most critical disputes with an authority which no one has seriously been able to contest.

Undoubtedly, it has not yet attained the zenith of its power, but France believes that to strengthen the League we must observe the laws that govern all organic evolution, that is to say, we must take the greatest care not to destroy the achievements and the hopes that are the outcome of its early years.

When, after a long discussion, the Third Assembly adopted, with the signature of the adherent States, the famous Resolution XIV of the Third Committee, which was the origin of the draft Treaty of Mutual Assistance, its action was based on Article 8 of the Covenant, which provides for the reduction of national armaments to the lowest point consistent with national safety. Thus, disarmament and security are united together in the Covenant itself.

On this idea was founded the Treaty of Mutual Assistance, which makes a war of aggression an international crime. The Treaty thus marks enormous progress—the introduction into public law of the conception of crime which hitherto had existed only in private law; the creation of a bond among the Powers which are the victims of aggression, provided that they really are the victims and have fulfilled all their international obligations.

I would further observe that Article 3 of the draft Treaty covers not merely actual war but

policies likely to lead to war—not merely aggression, but the threat of aggression.

It is an important fact that 18 countries have already accepted the scheme and that most of the replies have been in favour of the principle of assistance. If there are still some who object, France, so far from being discouraged, feels—and I trust you will agree—that a study of the difficulties before us, if undertaken in that spirit of cordial collaboration to which my friend Mr. MacDonald alluded yesterday and of which he at once proceeded to set the example, should enable us to go forward and to resolve the deadlock at which, it is suggested in some quarters, we have arrived.

A number of objections have been raised to the draft Treaty. I will deal only with the more important.

One objection is that the guarantees provided by the scheme appear to be inadequate; another, that the obligations to be assumed by each country are left indeterminate; a third, that under the terms of the draft Treaty it is not possible to determine with certainty, or even to determine at all, which State is the aggressor.

I may say at once that, in our view, the most serious of these objections is that concerned with the determination of the aggressor State. It is urged that even the report of the Third Committee itself does not provide a satisfactory definition, and the best proof of this is that M. Benes' admirable work has had to be supplemented by a commentary on the definition of a case of aggression.

The author of the commentary admits his difficulties. Mobilisation has become an extremely complicated affair. The horrible part of modern war, of the possible war that we are anxious at all costs to avoid, is that on the first day on which it raises its head it takes sole and undisputed possession of a country. It demands not merely that country's power, but even its raw materials; it seizes its industries, even those which had always seemed adapted only for purposes of peace. The violation of frontiers used to be the sole and final touchstone; but it is no longer sufficient. There are no frontiers to warfare in the air, not even to the atrocities of chemical warfare.

We admit that it is an extremely intricate and perplexing task to determine which State is the aggressor. For that reason, France was gratified yesterday to observe that Great Britain gave her powerful support to the idea of arbitration—an idea which we ourselves recently urged in London since we were convinced that it was the only means of exploring and solving the formidable problem of reparations.

Our action in accepting the idea of arbitration is wholly in accordance with the peculiar tradition of our country, which was magnificently upheld at The Hague Conferences by my eminent friend, M. Léon Bourgeois.

Moreover, as M. Van Karnebeek, the Netherlands Foreign Minister, pointed out yesterday, the notion of arbitration is already embodied in Article 12 of the Covenant, whereby all Members of the League agreed that, if there should arise between them any dispute likely to lead to a rupture, they will submit it either to arbitration or to enquiry by the Council.

We earnestly hope, therefore, that one of the acts of the Fifth Assembly will be to accept the principle of arbitration, which will once again settle our difficulties, since henceforth the aggressor will be the party which refuses arbitration.

How can the principle which we have postulated, the principle which is to govern the discussions of the Fifth Assembly, be applied? It is not for me to define its application here or now; that task rests with your committees. There is still much to be done in this direction, and you may rely upon the co-operation of the French delegates. It is for your representatives to work out a coherent system of arbitration. I do not think that there is any need for a special Committee; your ordinary bodies—the First and Third Committees—are, to my mind, so constituted that the matter can be left to them. Here, again, France remains faithful to her axiom, her golden rule: "Never destroy, but always improve."

Turning to another subject, I need hardly say that we firmly support all the measures proposed for the control of the traffic in arms with a view to restricting and hampering those secret preparations for war which are our main anxiety at a time when war is so largely dependent upon industry, however peaceful the latter may superficially appear.

Nor do we raise any objection to the reconsideration of Article 36 of the Statute of the Permanent Court of International Justice; I refer to the Article which authorises States to recognise the jurisdiction of the Court as obligatory. Mr. MacDonald was quite right in urging that this clause should be amended; but this again is a delicate task, requiring detailed work on the part of the Committees.

France, therefore, having proposed it in London, views with the utmost satisfaction the extended application of the principle of arbitration, which must henceforth be made the keystone of international public law.

Only the other day we worked in an atmosphere of what I may call brotherly co-operation for the introduction of this principle into a diplomatic instrument. It would be to our credit if at this Assembly we could do something towards the application of the same principle to the solution of infinitely vaster problems, for on their solution depends the future peace of the nations, which it is your duty, at least your moral duty, to assure.

Clearness and candour, however, are essential, and before this high Assembly, which has assumed such heavy moral responsibilities, it is necessary courageously to face all the elements in the problem of peace.

Arbitration is essential, but it is not sufficient. It is a means, but not an end. It does not entirely fulfil the intentions of Article 8 of the Covenant, which, if I may again remind you, are security and disarmament.

We in France regard these three terms—arbitration, security, and disarmament—as inseparable; and these three words would be but empty abstractions did they not stand for living realities created by our common will.

At all times and for all peoples war has been a dreadful reality; we must now make a reality of peace. I use definite terms because I feel

that we are now faced by the greatest of all our duties to mankind, if we wish our work to be regarded by posterity as something more than the barren proceedings of some vast and sterile academy. Arbitration must not be made a snare for trustful nations.

If upon the foundation of this trust you desire to establish a final character to govern international relations, you must, of your free will, afford protection to all countries that loyally observe their bond—if necessary, the smallest country—against the deceit and menaces of force. A great nation can, if need be, protect itself unaided, a small nation cannot.

We Frenchmen believe—and in speaking thus I am expressing a moral rather than a political idea—we Frenchmen believe that a nation which accepts arbitration, which, notwithstanding the uncertainties and risks that still exist in the world, sets this example of willingness to accept the dictates of justice; we Frenchmen believe that such a nation, be it great or small, has a right to security.

Arbitration, as my friend Mr. MacDonald has said, is justice without passion. In that I recognise the nobility of his mind. But justice must not be divorced from might. Might must not be left in the ruthless grasp of injustice.

In this Assembly, where nothing should be said that is not serious and noble, nothing that is not the outcome of thought and good sense, let me recall to you the sublime thought of Pascal, whose intellect has not only dominated France, but all countries where thought and faith are held in honour.

Pascal said—and his words should, I think, serve as a watchword for the League of Nations—“Justice without might is impotent. Might without justice is tyranny. Justice without might is unavailing, for the wicked are ever with us. Might without justice stands condemned. We must therefore mate justice with might, and to that end we must ensure that what is just is mighty and that what is mighty is just.”

To mate justice with might is, I believe, the highest duty incumbent upon us, if we desire to create a work which shall not be merely that of a barren idealism, however excellent its intentions, if we wish to afford the nations that reality which they demand of us with an anxiety born of their losses, their sufferings, their sorrows and their fear of future troubles.

I need no arguments to show that innocent intentions are not enough to safeguard a nation. The proofs are here before our eyes. They speak to us. Let us listen to them!

The great and renowned nation whose guests we are has held aloof from the disputes that have drained the blood of Europe. Are we to ask that nation to abandon, without compensation, the protection assured to her by the hardy valour of her stout-hearted sons?

Again, did not Belgium give evidence of her desire to stand apart from the clash of arms? Did she not endeavour to serve as a link between the great nations of Europe and of the world? Was she not, by her initiative, her intellect, her nobility and her charm, the chief centre of international life? But remember the sequel. Can we a second time ask a nation to wait, if necessary, four long years in exile?

No, we do not believe that force alone can bring security. We do not undervalue the importance of the economic and financial sanctions prescribed in Article 16 of the Covenant. We must strive to create in all countries a new spirit which will feel for the public crime of war the same abhorrence as is now felt for the crimes of individuals.

In one of the replies to the draft Treaty—that of the Netherlands, I think—it is stated that the international community must be created. I agree. But the gospel doctrine of peace and brotherhood taught to mankind at the dawn of our era—the kindest, the most potent message ever received—has never yet sufficed to avert the bloodshed of war.

To-day more than ever before, on the morrow of the world war, we are passing—if I may repeat what others have said—through a period of transition and we must observe the utmost caution. To temper realism and idealism with wisdom, to hold the balance between them with calm reason, to adjust them, to reconcile them—this is assuredly one of the most difficult tasks of the League, but, to fulfil it, all that we need do is loyally to observe Article 8 of the Covenant. This is what the people of France unanimously desire, most of all those who fought in the war. This is, I am convinced, what all countries desire when they ask you, when they ask us all, to give them, at long last, security, to earn their daily bread in peace. Let us, then, give them this daily peace which they have earned in the bitterness of their suffering and the sufferings of past ages.

Arbitration, security, disarmament: the three words are, we hold, closely inter-connected. Without real international solidarity we shall, we believe, never attain that international community which we passionately desire, which we are resolved to create, to perpetuate, to organise conformably with the laws which govern life and being. Without international solidarity there will never be international peace. Through international solidarity alone shall we attain disarmament, which is our goal.

France, too, believes that we must prepare for a general conference on disarmament; but, as has rightly been said, such a conference, hurriedly improvised, is doomed to failure. Whatever we do, we must not repeat the error of those who essayed to build the Tower of Babel. We must prepare the ground if we are to succeed; it is so easy to do wrong, so hard to do right. In any case, it is essential that this work should be entrusted to the League of Nations, which alone has the necessary organisations to achieve success. No one who reasons logically and clearly can conceive of an international conference on disarmament without—in other words, against—the League of Nations. If—and it is unthinkable—a new institution were created, there would be danger of war between two organisations founded to ensure peace. Could anything be more illogical?

What arguments can be raised against this plan? It may be objected that the League is not sufficiently world-wide in character; on this point, as on all others, France, who desires above all things sincerity and clearness, would like to explain her position frankly.

In the first place, we cannot think that the United States, who recently rendered us such

valuable service in London—and I offer them my thanks—will refuse to collaborate with us, especially when they find that the just and pregnant principle of arbitration is now the corner-stone of our policy. Certain distinguished Americans have already submitted to us schemes which merit careful attention.

As regards Germany, our position is clear and unequivocal. In fighting Germany we were combating destructive militarism and that criminal doctrine, openly proclaimed in her Parliament, the antithesis of all that we who are here affirm and believe, the doctrine that "necessity knows no law." But we have never wished to see the German people in misery. France knows no hatred; France does not live on hatred, or in hatred.

We are ready to welcome any genuine proof of a desire for conciliation. What we ask is sincerity.

In the last few weeks we have witnessed an important new event. Germany, with whom we have entered into direct negotiations, freely undertook in London to meet her reparations obligations. I may add that Articles 1, 8 and 9 of the Covenant, which presuppose the fulfilment of engagements regarding disarmament, define the conditions under which any State may be admitted into the League. These articles apply to Germany as to all other nations. In our League there must be neither exception nor privilege; respect for treaties and pledges must be the common law.

This policy of absolute impartiality, this sincere desire for a peaceful settlement, this determination to see at least the unity of Europe restored, if possible—this is the aim of the French Government. It is a clear and definite aim, and I express it without any ulterior motive.

I would say the same of Russia. A lasting reconstruction of Europe is inconceivable without the collaboration of that great nation which has gone through such trial and suffering. The Russian nation often use harsh words to us, or, rather, harsh words often reach us from Russia, but we know that hate has never cast out hate. A policy of freedom, a return to normal conditions of life, mutual intercourse and, above all, patience and steady caution must be our weapons in the struggle against excesses, for are not we of the League as much the enemies of civil war as of war between nations? Our watch-words are: to oppose war in all its forms, to preach peace, unity, freedom. We have but to abide by these in all our international dealings.

Such, ladies and gentlemen, are the guiding motives of France in her collaboration in your work. I said so at the outset; I say so again at the close. We stand by the Covenant, but we wish to make it a living Covenant. We simply claim for each nation the rights conferred upon it by the Covenant, no more and no less.

Peace, for the sake of which we are meeting here; peace, for which we are working, and towards which we have duties—not all of them perhaps fully realised as yet, but for the accomplishment of which we shall later be called to account—this peace must be no abstract notion, no barren desire. To win it calls for courage as great as, perhaps greater than, the courage of the soldier.

Arbitration, security, disarmament—these are, we hold, the three main columns in the temple which you, my colleagues, are called upon to erect. Its foundations must be solid indeed if it is to tower high in the light of heaven.

France, in whose name I speak, offers as her tribute to the common task her heart and her mind, her passionate desire for clearness and frankness and an experience bought at the price of centuries of suffering. She knows the cost of weak frontiers. Her dearest hope is for peace with honour, peace and toil. But she does not think only of herself; if she did, she would be false to her traditions. Innocent yesterday—yes, I swear it—to-day, still wounded, she stretches a sister's hand to all your countries.

Despite her suffering she is eager to know the sorrows of all the nations of the world so as to bring aid and comfort. She would rejoice if, amidst the wreckage of the war, among her own sorrowing ruins she could see growing, planted by our hands—your hands, my colleagues, and mine—the divine flower of peace.

ANNEX III.—*Report of Speech by H. H. the Maharajah of Bikaner, in the Assembly on the 6th September 1924.*

Mr. President, ladies and gentlemen,—May I preface my remarks by stating that I deem it a high privilege to take part in the proceedings of the Assembly of the League of Nations. Although this is the first occasion on which it has been my good fortune to attend this Assembly, I do not come as a total stranger, for my association with the League of Nations dates back to the Peace Conference, when it fell to my lot to conduct the negotiations for the inclusion of India in the membership of the League. It is therefore a matter of special gratification to me to be present on this occasion; and on behalf of the Princes of India, whom I have the honour to represent, I would also take the opportunity of expressing their high regard for this association of the peoples of the world and their ardent interest in its great work to secure permanently the reign of peace and justice.

On behalf of India I desire to express our entire concurrence with the letter of the Prime Minister of Great Britain on the subject of the proposed Treaty of Mutual Assistance and with his powerful advocacy of the principle of arbitration.

Soldiers, I submit, are the best judges of the horrors of war. The fire-eaters are not always to be found in the ranks of the soldiers who bear the burden of the fight, but sometimes in those of the civilians who stand and wait.

I have seen much of war in three continents, and I would give my right hand in support of any effective scheme to reduce both the danger of war and the armed peace which is the precursor of war.

But we have to be jealous lest in our anxiety to reduce the pressure of armaments, without effective guarantees for security, we produce amongst the nations of the world that sense of uneasy fear which is the seed-bed of war. Whilst, therefore, we associate ourselves with the ideals of those who framed the proposed Treaty of Mutual Assistance, we associate ourselves no less with the Government of the

British Empire in rejecting it, because we feel that the guarantees are so illusory that effective disarmament would leave a sense of insecurity which might revive the spirit of aggression.

To the general arguments advanced in the letter of the Prime Minister, to which we subscribe, there are to be added special forces arising from the geographical position of India. I state them now because they must govern our attitude, not only towards the proposed Treaty, but towards any amended proposal for disarmament which may come before this Assembly.

In India we have a frontier problem of exceptional difficulty and complexity. Our border line stretches from the Indian Ocean near Karachi to the confines of China and Siam. Much of that frontier is peopled by hardy and turbulent tribes who know no law but the blood feud, no higher ambition than to raid the peaceful dwellers in the plains. These tribes are saturated with arms and ammunition imported from Europe, and, despite costly preventive measures, this illicit traffic has, as Mr. Ramsay MacDonald told us, not yet been brought fully under control. They contain within their clans some of the finest fighting material in the world.

Other sections of the frontier consist of dense and almost pathless jungles occupied by restless tribes, who, if they have not the exceptional military qualities of those of the North-West, are nevertheless a considerable military pre-occupation.

Not in our time can the serious menace to the security of India contained in the frontier position be mitigated by the use of economic sanctions or the spread of the principle of arbitration; we are bound to take account of this in fixing our standard of military strength at the minimum point which will ensure the safety of India.

There is a further consideration to which I must invite the attention of the Assembly. Whilst we hope that the present cordial relations with our neighbours may long continue, yet the fact remains that all are not Members of the League of Nations, and all are not, consequently, susceptible to the moral and economic pressure which the League may be in a position to exercise.

Again the nations of Asia which are Members of the League are so situated geographically that even if they accepted the responsibilities proposed under the draft Treaty, commanded the means to give India effective assistance, and had the will promptly to use them, they are not in a position to render to India that immediate effective assistance which would be essential to her security with a reduced military establishment. The immediate effect of such a reduction of armaments in India would, therefore, be to weaken the guarantees for the security of the Indian people.

On these general and specific grounds, therefore, we have been driven to follow the action of the Government of the British Empire in rejecting the proposed Treaty of Mutual Assistance. But because we do so, I would not have this Assembly or any member of this Assembly conclude that we are behind any nation in the world in our desire for peace. We harbour aggressive designs towards none. We desire nothing more than to be allowed to work out our destiny undisturbed by the shock of war or the

threat of war. By instinct and tradition we are a pacific people.

I have stated our position frankly because of my conviction that if we ignore facts we shall not ensure peace, but rather induce the feeling of insecurity which may lead to war. But, subject to the recognition of the conditions which I have sketched—a recognition essential to the discharge of our responsibilities for the security of 319,000,000 of people, or one-fifth of the entire human race—we associate ourselves wholeheartedly with the principle of arbitration, and with any measures which this Assembly may take for the reduction of armaments, for the establishment of the rule of law, and for guaranteeing to the nations of the world the untold blessings of a secured peace.

ANNEX IV.—*Report of Speech by H. H. the Maharajah of Bikaner, in the Second Committee on the 11th September, 1924.*

I have read with deep interest the Report of the Health Committee of the League of Nations to the Permanent Committee of the International Office of Public Health on its activities during the first year of its existence. I wish to express my admiration of the work already accomplished, and my confident belief that the Health Committee will develop into one of the most useful branches of the League. I note with particular satisfaction that the Health Committee has initiated inquiries into malaria, leprosy, sleeping sickness, and the standardisation of sera and biological products—questions in which India has a vivid interest. I also desire to record my appreciation of the proposal for a bureau of epidemiological intelligence at Singapore which is now taking concrete shape; for reasons which will be apparent later, this is a scheme of considerable importance to India. If I offer certain suggestions now, and I put them before the Committee in the form of a definite resolution, I trust that you will understand that this is done in no spirit of criticism, but with a real desire to assist the Health Committee in their beneficent work for our common humanity.

It is often said that India is the source of diseases affecting other countries. That may be the truth, but it is not the whole truth; India is also most open to infection—indeed, it has suffered grievously from diseases imported from other countries. Standing midway between Europe and the Far East, it is open to attack from the East and the West. A great tide of shipping impinges on its western seaboard; an almost equal tide of shipping beats on the eastern ports. Then India has an immense land frontier running from the Indian Ocean to the boundaries of China and Siam. Whilst it is true that this frontier is bounded by the mighty Himalayas, nevertheless there is a ceaseless flow of men and animals through the passes into Hindustan, and in the reverse direction. India is therefore perhaps more open to the entry of epidemic disease than any other country in the world. When such diseases find entry, they flourish with such intensity in our tropic and sub-tropic conditions, amongst a dense population which has not yet reached a high standard in public hygiene, that their ravages are terrific. I need only cite in proof of these general propositions facts which must be present to many here,

though the real implication of those facts may not be fully appreciated. The great influenza epidemic which started in 1918 carried off in India between 12 and 15 million souls. In my own territories these epidemics are estimated to have destroyed one in seven of the population. Bubonic plague, which made its first appearance in 1896, is still with us, and we suffer from seasonal recurrences of varying intensity. There appears to be little doubt that both these diseases were imported. We live under the menace of the importation of yellow fever, and if that disease made its appearance amongst us, with our myriads of mosquito-carriers, one trembles to think what the consequences would be.

The terrible pressure of these and other diseases has induced in India a sustained endeavour to grapple with them. I need not enter into an enumeration of the contributions of our doctors to the world's knowledge of malaria, leprosy, plague and cholera, for they are the possession of all scientists. The work of our sanitary cadres is perhaps less known. The severity of these scourges, and especially the lack of a diffused knowledge of the principles of sanitation amongst the mass of the population, has led to the organisation of a corps of sanitary officers second to none in the world in their knowledge of the best means of combating epidemic diseases under tropical conditions and amongst a dense population, and in the sanitary control of the immense number of people who flock to our centres of pilgrimage. I trust the Committee will not think I am putting the matter too strongly if I urge that India has such tremendous issues at stake that she has a right to be constantly considered in any measures that are taken to study and control epidemic disease. I venture to add an expression of the opinion, which I think this Committee will share, that the work of the League will gain in efficiency and experience if it is kept in vivid contact with the great store of experience accumulated in India in the conditions I have outlined.

When we come to consider how this should be done, may I make one point clear at the outset? I should be the last to propose any alteration in the constitution of the Health Organisation of the League, both because it is admirably designed and it has justified itself by the work accomplished in the brief period of its existence. Nor is that necessary. The Health Committee, which directs the activities of the Health Organisation of the League, and enjoys the munificent support of the Rockefeller Trust as well as the financial resources of the League itself, is an international scientific corpus. It does not at present include any with Indian experience in its membership; it does not consist of health experts directly accredited by its Governments, and therefore able to deal with these problems with administrative authority. On the other hand, the Permanent Committee of the International Office of Public Health, constituted under the Rome Convention, does consist of men directly accredited by their Governments and therefore fully seized of administrative conditions. India has been directly represented on the Committee of the International Office of Public Health since 1907, and any Government which so desires can become affiliated with that organisation. Now the wise constitution of the Health Organisation of the League does not supersede the International Office; on the

contrary, its Permanent Committee is recognised as the Advisory Health Council of the League. This constitution therefore provides for the continuous contact of the scientists working for the League with the accredited representatives of the Governments in the International Office. The report we are now considering is addressed to the International Committee, on which India and most of the Members of the League are represented. I would, however, point out that the report is brought before this Commission for its consideration, and will thereafter be submitted to the Assembly for its approval, before the Committee of the International Office has had an opportunity of pronouncing its opinion on the programme of future work which it contains. You will, I am sure, agree that it is most important that the limited funds available for health work of an international character should not be wasted through overlapping with similar work simultaneously undertaken elsewhere. Also, that the Assembly should know, from the accredited representatives of the Governments whose co-operation it is intended to enlist, whether the proposals of the Health Committee are not only scientifically sound—of that, indeed, we may rest assured from the attainments of the members of the Committee—but are capable of acceptance in practice by the Health Authorities of the Governments concerned.

There is another point. I understand that the International Office of Public Health has, after careful consideration, completed proposals for the revision of the International Sanitary Convention of 1917, designed to furnish protection against fresh diseases and in other respects to adapt international health law to modern conditions. The scheme under the consideration of the Health Committee for a new sanitary convention for the Far East, requires, in my opinion, to be related to this other draft convention, and to be discussed by the health experts of the various nations who have interested themselves in the matter, and especially with those who represent Far Eastern countries.

No doubt at a later stage the Committee of the International Office of Public Health, as our Advisory Health Council, will take cognisance of the Report of the Health Committee, but it will then already have been finally considered by the Assembly of the League. In other words, the Assembly, though it set up last year a system which enables India and other nations to participate, through their designated experts, in the discussion of the programme of the Health Organisation, will be in practice deprived of the advantages of such discussions.

I recognise, of course, that it would be impossible and unwise that the Advisory Council should in all matters be called upon to advise before action is taken. Epidemics come upon us like a thief in the night; it may be necessary for the Health Committee to initiate measures to check the advance of an epidemic threatening immense masses of humanity. Its organisation, its personnel and its financial resources are admirably designed to secure rapid and effective action in such emergencies. On the other hand, I am convinced that the association of the Health Committee with the International Office of Public Health, which was established last year, should be utilised to secure full and continuous consultation with the Governments of the world through their representatives in

Europe, not only on questions affecting public health, but on such complex issues as the initiation of new sanitary conventions. I am further convinced, and I hope I shall also carry this Committee with me, that this consultation should be at a stage before the Assembly of the League has committed itself to a line of policy which may prove unacceptable to a number of States.

With this object in view, I therefore move the following resolution:—

“That this Committee recommends the Assembly to pass a resolution paying a tribute to the valuable and encouraging report of the Health Committee.

“It further recommends that the Assembly, wherever conditions of time allow, should have before it the observations of the Advisory Health Council on the future yearly reports of the Health Committee, and especially on the questions with which the Health Committee proposes to deal, in order that occasion may be afforded for the representatives of Governments on the Committee of the International Office of Public Health to advise as to whether the proposals are such as would generally commend themselves for adoption and would enlist the co-operation of the States they represent.”

*ANNEX. V.—Report of Speech by the
Right Hon. Arthur Henderson in the
Third Committee, on 22nd September
1924.*

Mr. President, in rising to address the Committee at this stage I feel it to be my duty, as it is my pleasure, in the name of the British Delegation, to express our sincere appreciation of the valuable and devoted services which Dr. Benes has rendered your sub-Committee. That the sub-Committee is able to present a plan to you to-day is entirely due, in my opinion, to the spirit which our Chairman and Rapporteur has always managed to keep amongst the members of his sub-Committee, and it must be to all the members of the sub-Committee, as I am sure it must be to the members of this Committee also, a great satisfaction that he has so guided all our deliberations that we can now come to you with the scheme which he has just outlined.

My object is to try to put before you what I conceive to be the position of the British Delegation, that is, how, in the short time that we have had since the scheme was brought to a stage which permitted it being presented, we look upon the position which it represents. In stating our position, let me say this.

The present Assembly has had many important tasks, but it is safe to predict that it will be remembered for the work which it has done on the problem of disarmament. On this problem the Third Committee and the First Committee have been working side by side to carry out the duties imposed upon them by the Assembly resolution of 6th September. They have been working side by side, and each of them endeavoured with much success not to encroach upon the subjects entrusted to the other. But it is necessary to recognise that the work of each of them is part of one whole. The Third Committee was charged by the Assembly with the consideration of security and disarmament; but

security and disarmament cannot be separated from arbitration, and they have not been separated in the scheme of the draft Protocol which Dr. Benes has laid before the Committee to-day. The scheme covers all three. Without action on all we can do nothing on any one. That proposition is so evident that it needs no arguing. War hitherto has been accepted as a method—though it has always been the worst conceivable method—of settling international disputes. Armaments are the machinery of war. Their existence and their appalling development and increase in the last half century have created a sense of insecurity from which the whole of Europe is suffering to-day. Therefore, to deal with war, to get rid of it root and branch, as by this Protocol we propose to do, requires a scheme by which arbitration takes the place of war for the settlement of disputes; by which armaments, the machinery of war, are limited and cut down to the lowest level on which we can agree; by which the sense of insecurity is removed through mutual undertakings to support a State which is the victim of unlawful aggression. Such is the scheme which Dr. Benes has laid before you.

Let me deal first with that part of the three-fold problem which, in our view, is the first and perhaps the most important part of all—I mean arbitration. There is no need to remind the Committee of the reference which it received from the Assembly. It was instructed to consider, with a view to improvement and amendment, the articles of the Covenant relating to the settlement of disputes, and also Article 36 of the Statute establishing the Permanent Court of International Justice, which confers on that Court obligatory jurisdiction in legal disputes. The purpose of this task was defined in the closing words of the resolution presented to the Assembly on 6th September by the French and British Prime Ministers. It is “to settle by pacific means all disputes which may arise between States.” That is the first essential step if we are to get rid of war. We must provide, and we believe that this new Protocol will provide, satisfactory means by which international disputes of every kind and every description can be peaceably dealt with and decided.

The provisions of the Protocol in regard to arbitration fall into two parts: those which concern the Permanent Court of International Justice and those which concern the settlement of disputes by the Council of the League or by arbitration. So far as the Permanent Court of International Justice is concerned, the suggestions put forward are very simple. It is proposed that States should adhere, with or without reservation—on this I shall have more to say in a moment—to the Article 36 to which I have referred. This article has been very carefully examined by the jurists of the First Commission, who have come to the conclusion that no change in its clauses is required, and that they are, as they stand, sufficiently elastic to allow the reservations which may be necessary to enable Governments to adhere to it at once. This result is particularly satisfactory to the British Government for the reason that we desire, and desire ardently, to adhere to Article 36, but we cannot do so without making a reservation of considerable importance. This reservation, to which I will return, does not, in our view, in any way diminish the importance of the adherence to the article by the British Government and by the Governments of other great Powers. We

believe it will be a decisive turning point in the process by which international jurisprudence is being built up, and by which legal justice among the nations of the world will become a practical reality.

But this matter of the compulsory jurisdiction of the Permanent Court, important though it be, is yet less important than the arrangements which are proposed in the new version of Articles 12, 13 and 15 of the Covenant, which are put forward in the draft Protocol. These arrangements are the keystone of the whole system which we are hoping to create. It is not for us here to enter into a detailed examination of the new proposals, but it is necessary to point out that to complete the Covenant as it stands to-day, by removing the cases in which recourse to war is allowed. The State which resorts to war is outlawed, not by resounding declarations only, but by the co-operative effort of the nations of the world. Every dispute which is not taken under Article 36 of the Statute of the Court, or by agreement of the parties, for judicial settlement by the Permanent Court, is to be settled by arbitration. Such disputes as do not go to the Court will be, in the first instance, dealt with, as before, by the Council. The Council is to persuade the parties, if it can, to agree on an arbitral tribunal. If their efforts are successful, but if nevertheless one of the parties demands an arbitration, an arbitral tribunal is to be set up, either by agreement between the parties or by the Council itself. If none of the parties desires arbitration the Council is to continue to deal with the matter itself by investigation and conciliation as it now does, and to draw up a report. If this report is adopted unanimously then the Members of the League are to agree that they will accept and carry out the settlement which it proposes. But if the Council cannot arrive at a report which it unanimously approves, it is then obliged, under this draft Protocol, to submit the matter to an arbitral tribunal, which it is itself to nominate. In this case again the Members of the League will undertake, in accordance with this scheme, to accept and to execute whatever decision or award may be given by the arbitral tribunal.

We thus provide in this draft Protocol a system by which a pacific settlement can be found for every international dispute and which will impose upon those who accept it the obligation to accept and in good faith to carry out such settlements. In our view this is a step forward of the first importance. We do not attempt to disguise from ourselves that it involves a certain sacrifice and we are ready to advise our Government and our Parliament to make the sacrifice. We believe in arbitration because it is just; we believe in it still more because it will help us to get rid of war.

There is one other point which I should mention. I have said that those who accept this Protocol will bind themselves to carry out judicial or arbitral decisions that may be given. But if it should occur that such decisions are not carried out, we do not propose that they should be imposed by force of arms unless the failure is accompanied by a resort to war. We do not propose to let loose the terrible machinery of the sanctions which in cases of true aggression may be required. On this head we merely propose that the provisions of Article 13 of the Covenant should be extended, and that the Council should propose the means by which faithful execution

of an arbitral decision may be obtained. We believe that the Council, by exerting in the first place the immense moral pressure of the League as a whole, will not fail to secure the faithful execution of such decisions.

I come now to the question of the reservations which the British Government will feel themselves obliged to make in accepting the obligatory jurisdiction of the Permanent Court and this new procedure of compulsory arbitration. These reservations relate to disputes arising out of warlike operations in which the British Empire may in the future be involved. Let there be no misunderstanding. In the view of the British Government it is not conceivable that the British Empire should be at war against the Covenant, or against the stipulations of this new Protocol. We therefore only envisage the case in which we are engaged in warlike operations on behalf of the Covenant, and with the approval of the Council or the Assembly of the League. We are sure that in such a case as this it would be necessary and desirable in the general interest, as well as in the particular interest of Great Britain, that the British fleet should be able to operate with the freedom that may be required to secure the rapid success and termination of the sanctions. We propose, therefore, when we accept the obligatory jurisdiction of the Court, to make a reservation to the effect that disputes arising out of warlike operations undertaken by the British Empire in support of the League shall not be referred to the Permanent Court for settlement. It will be observed that a similar reservation appears in Article 4 of the project which is laid before the Committee. These reservations do not appear to us in any way to limit the value of what we are doing to-day. No one desires that the Permanent Court should become a body for controlling military operations. Its purpose, and the purpose of these new arbitration arrangements we hope to set up, is to prevent war altogether, by securing the peaceful settlement of disputes. We believe, therefore, that in safeguarding the liberty of action of the British fleet—which above all things it is necessary for us to safeguard—we are not acting contrary to the general interest of the nations of the world.

May I now turn to the question of Security?

If real security is to be afforded, provisions such as those contained in the additional article referring to provisional measures are a necessity. States will not resort to arbitration until efforts to settle differences through the usual diplomatic channel have failed; the arbitration proceedings may last for many months. During all this time the tension may become more and more acute and the temptation to increase armaments, and proceed, to use the words of the article to which I am referring, "to industrial or economic mobilisation," may become very difficult if not impossible to resist. While human nature remains the same suspicion is bound in such circumstances to exist and to grow, and suspicion is a fertile soil for the evil growths which it is our object to eradicate. To establish the facts beyond doubt, and thus either to allay suspicions or, if they are well-founded, to remove their cause, the Council is empowered to make investigations. The necessary machinery will be ready to the Council's hand since inevitably there must be some organisation to make sure that the decisions of the Disarmament Conference are being effectively carried out. This

organisation will be quite appropriate to carry out the investigations to which I am referring.

It is perhaps upon Article 7 that the attention of the world will be more closely focussed than upon any other article of the Protocol, and it cannot be too strongly emphasised that everything in Article 7 is already stated or implied in Article XVI of the Covenant. We are remaining within the terms of the Covenant and we are undertaking no new obligations. We do not see how any Power which has signed the Covenant and which intends to carry out honourably the pledges it has so given can hesitate to subscribe to Article VII. Surely "loyal and effective co-operation" in support of the Covenant is what may confidently be expected from every Member of the League of Nations. Otherwise their membership is a fraud and delusion. We ardently hope that our present labours will sound the death-knell to war; but we cannot be absolutely certain, and what we wish to proclaim to the world is that we are determined to join hands and assist each other "loyally and effectively" in punishing the aggressor. It is obviously altogether impossible to foresee the exact contingency which may arise. The extent of the co-operation must depend on the actual circumstances, not only as regards the aggression, but also as regards the geographical position and the resources of all kinds of individual States. It would be no use to bind oneself to do a variety of things which may not be required. We must and we can rely on the good faith of the members of the League to decide themselves how their effective co-operation can best be given if and when the necessity arises.

We desire to call very special attention to the exact wording of para. 3 of Article 7 and particularly to two points, namely, the reference therein to para. 3 of Article XVI of the Covenant and the words "for this purpose" to take measures, etc. The reference to the Covenant and the words I have quoted make it perfectly clear that we are dealing here with economic sanctions and with economic sanctions alone. We learnt from the last war, if we did not know it before, the supreme value of supplies of raw materials and foodstuffs and conversely the enormous effect of a blockade. If we are going to assist the victim of aggression, which is implied in every line of the Covenant, there can be no more effective way of so doing than by taking measures to ensure the safety of its communications and enabling it to receive raw materials and supplies of all kinds.

The provision in Article XI whereby a State may notify to the Council beforehand the forces it is prepared to use to defend the Covenant is an important step both towards security and towards disarmament. The certain knowledge of the forces to be arrayed against it may well prove a valuable deterrent to a would-be aggressor State; and, at the same time, the certain knowledge of the forces which will come to their assistance when the crisis arrives will help States to decide on a larger measure of disarmament than otherwise. It must be emphasised that such notification is purely optional—there is no obligation on any State to make it, and many States may not be in a position to do so.

I am inclined to think there is considerable misconception as to the part which the Council will be called upon to play if unfortunately it

proves necessary to enforce the sanctions. When once aggression has been established the Council will call upon the Members of the League to enforce the sanctions and will make recommendations as laid down in Article 16 of the Covenant. But there is no idea, and never has been any idea, of placing troops or ships at the free disposal of the Council to use as they think fit. If I may express this in other words, there is no intention whatever of converting the Council of the League into a Council of War and imposing upon it the burden of conducting military campaigns or naval operations.

The second and third paragraphs of Article XI call for some detailed comments. It may be objected that, although partial or regional agreements for mutual assistance must be registered by the League and published to the world, and may indeed be joined by other States, the whole system of such agreements is contrary to the spirit of the Covenant and the Protocol, in that it tends to perpetuate the old groupings and alliances. We ourselves consider that the objection is not devoid of foundation and we should have preferred to prohibit such agreements altogether and rely on the League acting together as a whole. We must not forget, however, that an entirely new situation is created by the provisions for compulsory arbitration. It cannot be denied that the automatic definition of aggression and the absolute prohibition of the enforcement of sanctions unless and until the Council has so decided, lessens to a very large extent the objections to which I have referred. One can indeed imagine circumstances in which a binding and publicly announced obligation to bring considerable forces to bear against an aggressor may be of great value. Any objection that the existence of large military and naval forces will be encouraged by such agreements falls to the ground when it is remembered that the forces of any State will, if our scheme comes to realisation, be regulated by the decisions of the Disarmament Conference.

Before leaving this section of the Protocol, I may make a passing reference to the encouragement given in Article 8 to the establishment of demilitarised zones between countries. It is greatly to be hoped that the idea will be widely taken up. With the provision in Article 12 that the aggressor would pay reparations to the extreme limit of his financial capacity, no one will quarrel. I think that general approval will also be given to the principle of maintaining in all circumstances the territorial integrity and political independence of the aggressor. We aim at removing all temptation to territorial aggrandisement.

Our scheme stands as an indivisible whole—arbitration, security and disarmament, and the words which ensure this are contained in Article 13—"the entry into force of the present Protocol shall be suspended until a scheme for the reduction of armaments has been adopted by the Conference." We were faced here by a great problem, namely, whether it was possible to define more closely the exact meaning of adoption of the scheme by the Conference. We have decided, in our view very wisely, not to make the attempt and not to limit or prejudice in any way the independence of the Conference itself. We have left it to the Conference, not only to draw up a scheme, but also to fix the conditions in which the Council may declare that

the scheme has not been carried out and that the Protocol has consequently lapsed. We do not see how any better plan could be devised to safeguard the general interests.

Let me say in conclusion that this Protocol, which I hope is going to meet with the universal approval of the Assembly, is only the beginning of the great work which still has to be carried through. It is only a draft which Governments will have to consider and which Parliaments will have to approve before ratification. And even when approved and ratified it is still, let me repeat, no more than a beginning. It will only come into effect when the nations of the world have agreed on a common plan for the reduction of their military strength. Let us have no illusions. Disarmament is incomparably the most difficult task to which any Assembly of the nations can set its hand. Even when we have brought this Protocol into force there will still be difficulties of every kind to overcome.

But this Protocol creates the conditions of success. It does so because it will give justice to all peoples, great and small; because it will restrain aggressors by making greater the deterrent power of the obligations already enshrined in the Covenant of the League; because it holds out to the peoples of the world for the first time a tangible prospect of a diminution of the burden of armaments under which they groan. We believe that when the nations of the world have adopted this Protocol, we shall open a new vista to all civilised peoples, a vista of social progress unequalled in the history of mankind. We shall do so by cutting away from international society the disease of military power which for countless centuries has afflicted Europe and the world.

ANNEX VI.—Report of Speech by Sir Muhammad Rafique in the Assembly. 23rd September 1924, on Intellectual Co-operation.

Mr. President, ladies and gentlemen,—When the distinguished scholar whose report we are now considering presented it to the Second Committee, it was specially welcomed as sounding a note of useful criticism. I have no note of criticism to offer now, but only a few suggestions, which I trust will receive the attention of the Committee on Intellectual Co-operation.

We have a definite proposal before us, and we cannot be blind to the fact that it has aroused differences of opinion in the Assembly. On the question at issue, I offer no opinion; on the principle which lies behind it, may I say this? The work must go on. If, therefore, it is decided, in order to maintain the essentially international character of our intellectual co-operation, that it should continue to be centered at Geneva, then it is our plain duty to see that it is sufficiently provided with funds. None of us can lightly regard the words of the *rapporteur* that this work is in danger of failing for lack of funds. If, therefore, we are unable to accept the financial help offered to us, we must provide the necessary funds from our own resources.

I speak strongly, because in my country learning has always been revered for its own sake. The *Rishis*, the wise men, were the most honoured figures in our heroic age. The tie which binds

the pupil to his *guru*, or teacher, is one of the strongest we know and is severed only by death. Learning is the one force which knows no nationality, no territorial boundaries; it is international in the fullest sense of the term. A better understanding of each other's intellectual thought, co-operation in stimulating each other's intellectual thought, is therefore the life blood of the League of Nations; unless we maintain this movement in full vigour we cannot advance surely towards our goal, the brotherhood of man.

On behalf of India, then, I beg to express my cordial agreement with the principles underlying the idea of intellectual co-operation. It is obvious that there will be differences of opinion as regards certain details, but what really matters is the appreciation of the main proposal of promoting contact between the different peoples of all countries and of educating the younger generation in the ideals of world peace and solidarity. I venture to think that without some such scheme the work of the League itself would have remained incomplete.

When one visualises the future, one can well imagine the large and important part which the young people, trained in the early impressionable period of their lives to respect and admire what is best in every culture and civilisation, are bound to play in the recognition of international co-operation as the only right and satisfactory method of conducting world affairs. Much of our present trouble would never have come into existence if we, while young, had been thoroughly schooled in the principles of tolerance and universal brotherhood, produced by common understanding and sympathy.

As an Indian, I feel happy and proud to think that the culture of my country, unfortunately not so well understood in the West as it ought to be, will once again in the future, as, by common consent, it did in the past, contribute its own share to the attainment of the ideals on which the League is established. I have not the slightest doubt that by the efforts of the Committee the culture of India will be more widely appreciated and spread than it is to-day.

I am one of those who maintain that the peace and progress of humanity depend on the mutual understanding and co-operation of the East and the West. In the distant past the East kept burning the torch which imparted the light of learning to the far-off corners of the world. Had I the time, I would enumerate the services of the East in the various domains of human thought and activity. And I am happy to say, and I may say with confidence, that India's capacities and resources are not exhausted; she is still a living intellectual force, ready and eager to place her services at the disposal of the world, if only she is given a chance of doing so.

The East, and especially my country, I may be permitted to remark, has many valuable thoughts to offer for the enrichment of the world's literature, science and philosophy, if only her sciences and institutions are properly understood and studied. Take the example of Hindu culture, the proud inheritance of the vast majority of my countrymen, and you will find that before the dawn of history in the West it taught the lessons of universal brotherhood and universal peace for the acceptance of which this illustrious gathering is working to-day. The

achievements of my countrymen in the past are beyond dispute; their achievements to-day are worthy of serious notice.

The work of this Committee will gain in strength and value if it is kept in vivid contact with our numerous universities—not only with the older seats of learning, modelled on Western institutions, but with the great Hindu and Moslem universities brought into being by the combined efforts of the Government, of the Princes, and of the people of India, where a great renaissance of Indian culture is bursting into vigorous life. In India we have our learned societies, some of them over a century old, and cultural organisations depending on the devotion and self-sacrifice of learned men, some known to fame and others content to labour in obscurity; these, I have every hope, will be able to render valuable assistance to the work we are considering at this moment. Knowing the young men of my country as I do, I make bold to prophesy that, given adequate facility and encouragement, they will, true to their own culture and civilisation, prove excellent pioneers and propagandists of the principles which we all desire universally to be recognised and acted upon in the world.

With your permission, Sir, I wish to express my gratification at the response made by many countries to the appeal for books and publications made on behalf of the library of the University of Tokio. This is as it should be. Our aim will only be reached when institutions in all the civilised countries, Members of the League, are treated alike in this as well as in all other matters.

I am here to acknowledge the debt we owe to the European savants who opened the storehouse of Eastern learning to the West and at the same time stimulated our own interest in our rich culture. I am here to proclaim the contribution which India is able and ready to make to the world's stock of knowledge from her own treasures, which are increasing every day through the labours of her devoted sons. I am here to declare the message which India has to give to the West drawn from her deep and diffused spirituality, from her respect for ascetic ideals, from her rare capacity for sacrifice and service divorced entirely from material considerations. Finally, I am here to proclaim my confidence that the Committee on Intellectual Co-operation is the instrument for this fusion of Eastern and Western culture, to the infinite advantage of both.

Not through Eastern windows only,
When daylight comes, comes in the light;
In front the sun climbs slow, how slowly;
But westward look, the land is bright.

ANNEX VII.—*Report of Speech by The Right Hon. Lord Parmoor, P.C., K.C.V.O., in the Assembly, on 1st October 1924.*

Mr. President, it is with great pride and pleasure that I rise to support the resolution which is now before the Assembly, and which has been proposed in such eloquent terms by M. Briand. It is not necessary to enter into any detailed discussion of the proposals. You

will have studied them with the close attention which their momentous character deserves. The remarks which I desire to make on this historic occasion will be of a more general character.

First and foremost, let me take this opportunity publicly to thank the presidents and rapporteurs of the First and Third Committees for their indefatigable labour. I am sure that in this I am voicing the sentiments, not only of the British Delegation, but of every Delegation, in paying tribute to their skill and devotion. We may justly congratulate ourselves on the appointment of these members to the posts which they have so admirably filled.

It is only three weeks since the British and French Prime Ministers entrusted to the Fifth Assembly of the League of Nations the task of drawing up a scheme which would provide a basis for an international conference on arbitration, security and disarmament. To the best of their power the Commissions have carried out the task laid upon them. The real question we have now to determine is whether the Commissions have succeeded. It has not been easy. Those directly engaged cannot have escaped moments of discouragement and depression. All the greater, therefore, is the satisfaction that the task to which we set our hands is well-nigh finished, and that the proposals before us from the First and Third Committees have been endorsed with the unanimous approval of their members.

The problem may be stated in a slightly different way. The Commissions had to consider how to frame, within the limitations contained in the Covenant, a scheme based on the general principle of arbitration, providing such a full measure of security as to pave the way for that real measure of disarmament which, within the terms of the Covenant, is recognised to be required for the maintenance of peace.

In the Covenant the signatories have accepted the obligations not to resort to war, and I know of no other possible alternative to the horrors of war than the development of a general system of arbitration within the wide meaning in which that term is used under the proposals before the Assembly. Arbitration provides for conciliation and justice, and requires patience, moderation and a desire to do right as well as to claim right. It provides a means for righting wrong between nations, without recourse to the greater wrong of warfare. It affords, through conciliation, the means of explaining away misunderstanding. It invites co-operation in the place of controversy, and, in its higher forms, should point the way to the gradual building up of a recognised system of international law to become the common law of nations and provide for the same measure of peace and security amongst nations as the great systems of common law have provided for peace between individuals of the same nationality, on a basis of an equality which is blind to force, but the foundation of all that is implied in the idea of justice. I believe that the world is ready for the establishment of such a system, and that, so far as any doubt exists, it is as to the extent to which sanctions can be devised adequately to secure obedience to the arbitration principle and to the decisions given from the arbitration court or tribunal.

Thus we come to the question of security. It is worth while for a few minutes to consider how this problem has been solved. I am aware that any system of sanctions opens certain avenues of criticism, but we must keep the perspective right and realise, without any illusion, that, if arbitration is to be maintained as a form of international security, adequate sanctions must be provided, however, deeply some of us may feel that these sanctions are only likely to be required in a very small number of instances. Sanctions, both economic and military or naval, have inevitably played an important part in the discussions on the Committee. Let me, however, impress upon you at the outset that the basic idea of the sanctions in the Protocol is not how or when to make war, but, on the contrary, how to reduce the chances of war to a minimum and to preserve an assured system of peace settlement. We want sanctions to make war impossible, and we resolved to do everything we could to make it impossible.

The first step was to define definitely and clearly what should be comprised within the terms "aggressor" or "aggression". The definition adopted is far-reaching and inclusive, and any State which comes within the definition becomes an outlaw and finds the whole influence of every country raised against it. Sanctions are intended to make hard the path of the evil-doer and to bring home to the whole civilised world that war is evil-doing. I am the last person to disparage moral principles and Christian ethics. To me they constitute the main foundation of the whole fabric on which the League of Nations has been built. We have to wait until a sense of trust and confidence in arbitration has been further assured by practical results, and in the meantime, if the sense of security is to be such that disarmament may become a reality, we must provide a system which appeals to all nations, and which accords with principles long accepted within the domain of arbitration procedure.

Let us, however, be quite clear what it is that we are doing. There is no attempt to make the Council or the Assembly of the League into a super State, with authority over the different Governments. The attempt to do this would be to court inevitable failure. Neither Council nor Assembly will have any power to interfere in the internal affairs of our respective countries beyond what is already comprehended in the Pact; that is to say, not until a stage has been reached which means war, or threat of war, at which stage a new condition arises and we enter into the sphere of international law. The sovereignty of the various Governments will remain supreme, and matters pertaining to domestic jurisdiction are and should be rigidly excluded from the scope of the present proposals. If the worst happens—and we must face the possibility boldly that it may happen, however, improbable it may appear—if the economic sanctions are insufficient and sanctions have to be applied by force of arms, the Council of the League will have no executive powers. There will be neither troops nor ships at its disposal. It will be neither an Army Council nor a Board of Admiralty, and its functions will be limited to making recommendations. Every Government will be free to decide how much and in what form it can best cooperate loyally and effectively in supporting the

Covenant and in the common duty of giving assistance to the victim of aggression. It would be a misuse of words to say that assistance to the victim of aggression is a form of sanction, but I do not shut my eyes to the fact that, although the motive of action may be assistance to the victim, it may not be possible to carry out this assistance without creating a state of warfare as against an aggressor. It must not be forgotten that in the event of a question arising under Article 7, whether any measure of military, naval, air, industrial or economic mobilisation, or any general action of a nature likely to extend the dispute or render it more acute, this question will come for determination by the Council, and it becomes the duty of the Council to determine whether any particular action which has been taken constitutes an infraction of the undertaking contained in this Article.

I have spoken clearly and categorically on the above subjects, seeing that statements have been made for which there is no foundation, and that misapprehension appears to prevail in certain quarters. It was even said that the head of the British Delegation had made an offer of the British Navy to the League of Nations. It is hardly necessary to contradict so absurd a statement, but it may be well to point out that, under the terms of our proposals, such an offer could not effectively be made. Let there be no doubt that we have remained within the limits of the Covenant. Arbitration and sanctions already form the main fabric in the Covenant. Articles 10 to 16 of the Covenant, which it would be out of place to attempt to analyse on this occasion, contain the whole principle of preserving against external aggression the territorial integrity and political independence of all Members of the League, and the other articles to which reference has been made contain the obligation to submit disputes to arbitration under the provision of the sanctions therein defined.

We are less immediately concerned with disarmament, but it is none the less the aim and object of all the proposals now before the Assembly. I have no hope that war will disappear among the organised nations of the world unless we can secure an adequate system of reducing armaments to the level indicated in Article 8 of the Covenant. It is our duty to formulate the first step towards the calling of an international conference on disarmament, but we cannot forget that arbitration, security and disarmament are inseparably connected in the speeches of the two Prime Ministers whose joint inspiration has guided us on our journey. We have joined them in a single chain, of which each link is indispensable. They are all three part of one whole, and until the complete chain is forged, our work remains incomplete. It is on this ground that I rejoice that there is no separation of these three inter-linked matters in the proposals which we make. It is expressly provided that, until the Disarmaments Conference has reached a successful conclusion, the provisions of the Protocol in regard to arbitration and security remain in suspense, a suspense which is justified not only by the urgent need of inter-linking these three matters, but that, through their inter-linking, all efforts may be devoted to their common acceptance.

In his speech to the Third Committee, my distinguished colleague, Mr. Henderson, warned

us that the Protocol was but a step along a difficult and uphill road. Mr. President, the Protocol is not only a step, but the first step, and, cost what it may, let us determine to take this first step by the unanimous resolution of the Assembly. There is light on the horizon, a hope of at last attaining the real and lasting peace which so many philosophers and jurists have long striven to attain. We members of this Assembly will advance side by side and shoulder to shoulder, slowly perhaps but steadily, and as we place our feet on the sands of time, let the foot always point along the road to disarmament and peace. In the sunshine of international friendship and conciliation, the difficulties which seem so formidable now and which are presented by our critics as an impossible barrier, will melt away. The spirit which has reigned at Geneva during our debates and discussions of the past month must prevail in the end, and the dawn of a new day, the day of peace, will then break upon the troubled world. Mr. President, through the long retrospect of history it has been the aim of famous jurists and philosophers to promote peace and to bring to an end the barbarous incidents of warfare. Our thoughts run from the time of Grotius to the efforts made at the conclusion of the Great War, which will ever be connected with the name of Woodrow Wilson. It is for each of us in our generation to take our part loyally and effectively in the forward movement about to be initiated in this great Assembly.

The parting words of M. Herriot was an appeal to us to have faith, a powerful faith. The Protocol is evidence of that faith, faith in mankind, in the power of justice and truth, faith in the destiny of humanity in the ultimate triumph of peace.

Speaking from this tribune, as the senior delegate of that Government and as a representative here of that people, I call upon you with every confidence to accept unanimously and without hesitation the resolution which is now before you.

ANNEX VIII.—*Report of Speech by M. Mosta, President of the Assembly, on the 2nd October 1924.*

We have now arrived at the end of our labours. All the subjects inscribed on the agenda of the Fifth Assembly have been discussed. Before bringing our session to a close, I would beg you to give me your attention for a few moments longer.

At the outset I expressed my heartfelt gratitude for the very great honour which you conferred upon me by raising me to the Chair. I counted upon your indulgence and support, and you have given me both with a courtesy and liberality which have overwhelmed me. I have had to call upon you for much patience and perseverance. I fear I have not always tempered with sufficient courtesy the firmness which every chairman must show in the conduct of debate. If, by chance and against my will, I have been lacking in consideration towards anyone here, I offer my apology. I trust that in the future you will accord to me the same friendship and good will which you have shown me hitherto.

I thank, from the bottom of my heart, the Secretary-General, the Deputy Secretary-General, the Under Secretaries-General, the Directors and all their collaborators—both those at the top of the hierarchical scale and those engaged in the humblest functions. We realise what a sum of competent and devoted service the Secretariat places at our disposal. There is no public administration which is required to make a more intense and continuous effort than that furnished by the Secretariat during our Assemblies. I desire to express to all the officials and staff our warmest gratitude.

I would like to express my especial thanks to the President's Secretary, my young friend M. Jean Daniel de Montenach, whose zeal is on a level with his qualities of intellect.

I do not forget our excellent interpreters, whose task is often so difficult and thankless. You will, no doubt, support me if I mention in particular M. Camerlynck, a veritable master of his art.

Nor can I pass over in silence our shorthand reporters, whose extraordinarily rapid, accurate and conscientious work compels our admiration and gratitude.

The Press is our essential collaborator. I address my thanks to all the journalists and publicists who show interest in our work, whether by encouragement or by criticism. Without the support which the Press gives us by informing the world of our activities and efforts, the League of Nations would be deprived of its vital atmosphere. Indifference alone is harmful. Silence alone is fatal. In speaking of the Press I speak of an ally. Even those newspapers and reviews which we may be inclined to regard as opponents are our allies.

I will not inflict upon you an enumeration of the labours which the Fifth Assembly has accomplished. In all the subjects which it has dealt with, it has achieved results, suggested solutions, or sown good seed.

Allow me to touch for a moment upon a special question, that of Armenia. I had the privilege on Tuesday evening of visiting the home for Armenian children which has been established by the generosity of certain philanthropists at Begnins, in the Canton of Vand. I saw a large number of children there, both boys and girls. Each of these children is an embodied tragedy. They have no civil status. In many cases they have seen their fathers, their mothers or their grandparents assassinated. They are trained and taught in their own language. They exhibit the beauty of their race and of their martyrdom. When I arrived they sang the national anthem of my country: "Ye Mountains of Freedom." Their condition caused me profound emotion. I left the home at Begnins with the firm intention of proclaiming aloud once more in the face of the world, as President of the Fifth Assembly, the distress of our brothers and the duty of assisting them. What happiness it would be for us all if the efforts of the League of Nations, guided by the energy and idealism of that great apostle, Dr. Nansen, led at long last to their establishment in a national home of their own.

There is one observation which has perhaps occurred to your minds as it has to mine. The process whereby the discussions properly so-called are diverted to the Committees, has become

accentuated. As the Committees differ from the Assembly merely in the number of delegates who take part in the work, not in the number of States which are represented, the process has been rather favoured by the identical character of the two organs. When a question comes before the Assembly, unanimity has already been obtained among the various States. The debates of the Assembly thus lose the character of a confrontation of various points of view. They gain in orderliness and dignity, but they lose in the interest attaching to the unforeseen. The fact in itself is fortunate, but perhaps it would be desirable to examine means whereby the plenary meetings might be invested with the character of solemn gatherings in which only the gravest questions and those deserving the widest publicity are discussed.

This reflection leads me to pay a tribute to the indefatigable activities of our Committees, which have held an exceptionally large number of meetings in some cases, even late into the night. I would like to refer by name to all the Chairmen, Vice-Chairmen and *Rapporteurs*. Lack of time prevents my doing so. I am sure, however, that I am faithfully interpreting your sentiments if I make special mention of the names of MM. Eduard Benes and Nicolas Politis. M. Benes is a stimulating force. His lucid and constructive mind gives him a clear vision of the object to be achieved and of the result to be engraved on the tables of history. M. Politis is both a scholar and a statesman. He has a clear and penetrating intellect, the mind of a logician and the measured eloquence of the Greek masters. Measure is the divine gift which Greece has bequeathed to the world as the finest of its virtues.

It remains for me to pay homage on your behalf to the eminent Members of the Council, which also held several meetings during our Assembly. It is legitimate to note that the relations between the Council and the Assembly, although both those bodies are invested by the Covenant with the same competence, have always been imbued with the frankest cordiality and the most absolute confidence. I hope that that may always be the case, for this good understanding is an essential condition of the prosperity of the League of Nations.

Finally, I desire to express our most cordial sentiments towards the Canton and City of Geneva. I cannot explain the idea in my mind better than by saying what a deep satisfaction it is to me that when reference is made in the world at large to the universal spirit of mutual comprehension and reconciliation among the nations, it has become a habit to describe it as the "Geneva spirit."

This spirit has made progress, whatever people may say, at each Assembly. The First Assembly was devoted to the work of organisation. Its principal accomplishment was the adoption of the Statute of the Permanent Court of International Justice. The Second Assembly elected and constituted the Court; moreover, it improved the Covenant by introducing several amendments. The Third attacked with ardour the problem of disarmament. The Fourth—dominated by the conflict which everyone will remember and towards the solution of which the Council and Assembly made a very useful contribution—sought to build up a general treaty of guarantee which, according to the intention

of its promoters, was to re-establish mutual confidence and, in that way, ensure peace and facilitate disarmament.

This year's Assembly has, in my opinion, taken a decisive turning. I will not attempt to describe in a few words the special aspect of our session, or to define in a few formulæ its general orientation. It would be somewhat presumptuous on my part to endeavour to do so when so many speakers have enhanced the prestige of our deliberations with their eloquence.

What appears to me to be the salient characteristic, predominating over all others, is the importance—greater even than we had hoped—which conciliation and arbitration procedure has assumed. There is no criterion more pregnant in possibilities than that by which States are obliged to take their disputes before conciliators or judges. There is no idea more in harmony with the principles and aims of the League of Nations than that of stigmatising the State which, in the event of conflict, refuses to accept arbitration.

The Treaty of Conciliation and Judicial Settlement which the Italian and Swiss Governments have just signed at Rome seems to me, from the point of view of the pacific settlement of international disputes, to be a model worthy of imitation. The fact that I mention it here, after the moving manifestation to which it gave rise in the Assembly, is not due to any desire to exalt my country and its diplomacy, but rather to the desire to express my admiration for the magnanimous act, worthy of the wisdom of Rome, whereby a Great Power renounces in perpetuity the use of force, as M. Mussolini declared at the moment of signature, in any disputes which may arise with its small friend and neighbour, the loyal and age-long guardian of the Alps in the centre of Europe.

One hardly dares hope that war may be banished from the pre-occupations of mankind, but if mankind itself succeeds, in a perhaps still distant future, in abolishing war, it will certainly owe a victory of such incalculable value to the system of arbitration. The substitution "of the material force of arms . . . of the moral force of right"; the hope that all may agree "upon the simultaneous and reciprocal reduction of armaments and upon the establishment of an arbitral institution with important pacifying functions, as well as upon the introduction of sanctions, to be determined hereafter, against any State which refuses either to submit the international questions at issue to arbitration or to accept the arbitral awards." These words, which I have quoted textually, are taken from the encyclic which Benedict XV addressed on 1st August 1917 to the whole Christian world.

It will be to the undying honour of the League of Nations that, on the morrow of the World War, it brought this tremendous problem before the conscience of the nations. It will be the glory of President Wilson—who has passed away since last Assembly and to whose memory I wish to pay the tribute of our faithful remembrance—it will be the glory of the great President, the worthy successor of Washington and Lincoln, that he did not permit the Peace Conference to disperse until the Covenant had been adopted as the corner-stone of the new Temple of Peace. It will be pride of this Fifth Session of the Assembly that it has still further strengthened the chances of realising the sublime ideal of international justice.

Or are we merely dreaming? Are we in very truth doomed to admit that war weighs on humanity as a fatal heritage, that the law of violence is inherent in human nature, and that we, poor frail reeds, on whom God has yet shed some reflection of His eternal attributes—intelligence and love—shall never see the end of bloodshed and of violence?

If we examine under the magnifying glass every provision of the Protocol which we have decided by a unanimous and solemn vote to refer to the various Governments for their serious consideration, we shall, no doubt, find much material for controversy. I imagine that those Governments and Parliaments which are engaged, during the next few months, in discussing the work accomplished at Geneva, unaffected by the influences in which it came to birth, will experience doubts and scruples.

Their doubts and scruples will be wholly natural. They should cause us no surprise. Conflicting interests, divergent attitudes of mind, and prejudices too, will place obstacles in the way of a sublime endeavour. It will be the duty of all of us who are delegates to this Assembly to endeavour to make it understood in our own national circles that, despite the imperfections inseparable from a scheme drawn up in so short a time, the Protocol is none the less the outcome of a collective effort of exceptional grandeur. If the Geneva resolution fails to bring about the convening of a disarmament conference, or if the latter is fated to meet subsequently with final failure, will not humanity be frustrated in one of its most cherished hopes?

It would seem as if the confidence of the peoples had been betrayed. Would there not very possibly be a feverish and terrible race to build up armaments? Tragic, indeed, would be the fate of mankind if it were merely left to meditate, horror-stricken, on the hell to be prepared for it by the next armed conflicts, in which the physics and chemistry of war—those baleful powers—would rival one another in the work of carnage and destruction.

Has our attempt been too ambitious? Have we presumed upon our strength? The moral seed that is sown is never wholly lost.

It is true that the Protocol alone will not suffice. A soul must be breathed into the mechanism which it is designed to create. And that soul is to be found in the idea of solidarity, in the necessity for reconciliation. The progress which results from a happy change in the mentality and morality of the world is the sole form of progress which can lay claim to durable results. It is from this point of view that we can see the full significance of intellectual co-operation and of the institutions which we are to acquire through the generosity of France and Italy. It is in this light that we must consider the scheme for mutual assistance against natural calamities which we owe to the courageous initiative of M. Circolo, and to which freedom from the burden of excessive military expenditure will make it all the easier for Governments to devote their efforts.

Five months ago, in May of this year, I journeyed across France. At the end of my journey, after contemplating the great tragedy of Rheims Cathedral, I was anxious to visit the hills of Verdun. I wanted to begin by treading as a pilgrim the great road which runs from Bar-le-Duc and which is now known as the "Sacred Way." It was along this road that

all the regiments of France passed to their Cavalry. They passed along it transfixed by their acceptance of sacrifice, and blessed by their priests—most of the soldiers confessed and were absolved like the crusaders of old. I visited the cemetery of Douaumont and its chapel, and I knelt there. I traversed that devastated region impregnated with the blood of a million soldiers. With tears in my eyes, I contemplated the soil pierced by the bayonets of heroes who were interred standing and who sleep their last sleep with their rifles in their hands. I felt a tremor of tenderness towards the martyrs who had fallen in the defence of their countries, and, as a Christian, I prayed in my soul to God that He would for ever prevent a repetition of such hecatombs, and that He would open up the way between the peoples of France and Germany for a reconciliation founded upon justice.

A child, myself, of Italian race, the citizen of a small country where Italian Swiss, French Swiss and German Swiss live side by side and labour in a spirit of passionate love for one and the same country, respecting each of them, the great maternal civilisations of their neighbours—shall I be accused of blind optimism or dangerous Utopianism if at the close of this Fifth Assembly I voice this prayer for the rest and peace of Europe?

Shall I speak? Or shall I show myself unworthy of the confidence you have placed in me and conceal my opinion? It seems to me that the recent decision of the German Government, proposing that Germany should enter the League of Nations and enter it at a date which I trust will not be too remote, is a sign of happy augury. It is in that sense that I interpret the gesture and the intention it implies.

The League of Nations would not be true to its purpose if it did not embody the desire for moral progress and political re-birth. It is to a renaissance inspired by religion, encouraged by science, and supported by the League of Nations, that we must look for the salvation of our children.

Four years ago—on 15th November 1920, when President of the Confederation—I had the signal honour of presiding at the opening meeting of the First Assembly; I concluded my inaugural speech by invoking for the League of Nations in the words of Dante's "Paradiso" *l'Amor che muove il sole e l'altre stelle*. May I be permitted to recall to-day—and with these words I will take leave of you and bring to a close the work of the Fifth Assembly—may I be permitted to recall and to apply to ourselves the last lines of the "Purgatorio"? Dante there proclaims, and lays stress on the words, the desire and the need for a re-birth. He had reached the summit of the mountain of Purgatory. He crosses the earthly Paradise, where he meets Matilda and Beatrice. He is about to begin his flight towards Heaven. First, he must free himself from all stain in the fountain of Eunoe. Matilda, who is symbolical of vigorous life, submerges him. Dante arises and exclaims: "I returned from the holy fountain reinvigorated like a plant renewed with young leaves, purified, and ready to ascend towards the stars."

Io ritonai dalla santissim'onda
Rifatto sì, come piante novelle
Rinnovellate di novella fronda,
Puro e disposto a salire alle stelle.

Ladies and gentlemen, I declare closed the Fifth Session of the Assembly.

APPENDIX V.

Report of the Committee on the Allocation of Expenses, dated 31st October 1924.

The duty entrusted by the Fifth Assembly to the Committee on the Allocation of Expenses is defined in the following resolutions:—

"The Assembly requests the Committee on the Allocation of Expenses to determine the number of units to be allotted to the Dominican Republic and, when carrying out its task of making the final adjustments in the scale for 1925, to add the number of units thus allotted to those rendered available by the contribution of the Argentine Republic."

"It requests the Committee on the Allocation of Expenses to divide these 35 reserved units (available owing to the resumption of payment by the Argentine) in such a way as it may consider equitable, taking into consideration the claims of States Members for whom the existing allocation is particularly heavy."

The Committee, consisting of M. Réveillaud (Chairman), M. Barboza Carneiro, M. Jancovici, Mr. Nixon (substitute for Mr. Phillips), Mr. Roussin (Substitute for Sir H. Strakosch), M. Soleri, M. Sugimura, and M. Zahle, sat on the 30th and 31st October 1924.

After considering the evidence placed before it on the general economic position of the Dominican Republic, the Committee unanimously decided to charge this State with a single unit,

Contribution of China	reduced from 65 to 50, i.e., by 15 units.
" India	" 65 to 60 " 5 "
" Brazil	" 35 to 33 " 2 "
" Czechoslovakia	" 35 to 33 " 2 "
" Portugal	" 9 to 7 " 2 "
" Roumania	" 29 to 27 " 2 "
" Greece	" 9 to 8 " 1 "
" Haiti	" 2 to 1 " 1 "
" Norway	" 1 to 10 " 1 "
" Persia	" 6 to 5 " 1 "
" Serb-Croat-Slovene State	" 26 to 25 " 1 "
	Total reduction 33 units.

Three units thus become available. The Members of the League will all automatically benefit from the fact that the total number of units to be divided amongst them will be raised from 932 in 1924 to 935 in 1925.

thus raising the possible number of units for division to 36.

It then proceeded to deal with the question of the division of units, and heard M. Wang Tseng-Sze (China), His Excellency M. Petresco Comnène (Roumania), Prince Afsa-ed-Dowleh (Persia), Dr. Lange (Norway), His Excellency M. Bartholomeu Ferreira (Portugal), M. Baranyai (Hungary) and His Excellency M. Veverka (Czechoslovakia).

The Committee also considered written applications for a reduction of their contributions submitted by the Governments of Greece, Haiti, and India.

Being assured that the Fifth Assembly had left it the fullest liberty to take decisions, it then resumed consideration, irrespective of whether claims had been submitted or not, of all those countries whose allocation it had every reason, as a result of its previous work, to consider unsatisfactory.

The Committee, guided by the discussions in the Fifth Assembly, and in particular by M. Bignami's report, unanimously decided that 33 units would give sufficient and fair relief for this year to the "States Members for whom the existing allocation is particularly heavy."

These units were distributed as follows:—

The Committee thinks it desirable to add that, before separating, it laid down the lines on which its work of framing the amended provisional scale will be done. It will meet in April 1925 to finish this work, and its report will be ready for forwarding to the Members of the League early in May.

APPENDIX VI.

List of the Resolutions of the Fifth Assembly.

	PAGE.		PAGE.
1. Reduction of Armaments (6 Sept.)	1114	21. Allocation of the Expenses of the League (25 Sept.)	1144
2. Financial Reconstruction of Hungary (11 Sept.)	1128	22. Erection of a Conference Hall (25 Sept.)	1143
3. Closer Municipal Relations (20 Sept.)	1155	23. Protection of Women and Children in the Near East (25 Sept.)	1155
4. Rule 27 of the Rules of Procedure (20 Sept.)	1126	24. Election of Non-Permanent Members of the Council (26 Sept.)	1124
5. Traffic in Opium and other Dangerous Drugs (20 Sept.)	1148	25. The Situation in Georgia (25 Sept.)	1160
6. Health Organisation (20 Sept.)	1135	26. Request from the Government of Panama concerning its contribution prior to 1923 (26 Sept.)	1143
7. Legal Assistance for the Poor (20 Sept.)	1126	27. Contribution in arrears (26 Sept.)	1142
8. General Treaty of Arbitration between Switzerland and Italy (20 Sept.)	1161	28. Protection of Children (26 Sept.)	1152
9. Examination of the Replies of the Special Committee of Jurists appointed in pursuance of the Resolution adopted by the Council on 28 Sept. (20 Sept.)	1160	29. International Federation for Mutual Assistance in the Relief of Peoples overtaken by Disaster (26 Sept.)	1154
10. Organisation for Communications and Transit (20 Sept.)	1134	30. Amendments to Article 16 of the Covenant (27 Sept.)	1125
11. Slavery (22 Sept.)	1157	31. Reduction of Armaments (27 Sept.)	1138
12. Mandates (22 Sept.)	1158	32. Foundation of an International Institute for the Unification of Private Law (offer of the Italian Government) (27 Sept.)	1136
13. Development of International Law (22 Sept.)	1127	33. Audited Accounts and Budget of the League and other financial questions (29 Sept.)	1142
14. Work of the Committee on Intellectual Co-operation (23 Sept.)	1132	34. Intellectual Co-operation. Instruction in Schools regarding the aims of the League (29 Sept.)	1160
15. International Loan for Greek Refugees and other work of the Financial Committee (25 Sept.)	1130	35. Reorganisation of the Latin-American Bureau (29 Sept.)	1147
16. Transfer of Armenian Refugees to the Caucasus and creation of an Armenian National Home in that region (25 Sept.)	1151	36. Pensions for the Personnel of the Permanent Court of International Justice (30 Sept.)	1146
17. Financial Reconstruction of Austria (25 Sept.)	1129	37. Arbitration, Security and Reduction of Armaments (2 Oct.)	1118
18. Refugee questions (25 Sept.)	1150	38. International Conference for the Reduction of Armaments (2 Oct.)	1136
19. Traffic in Women and Children (25 Sept.)	1155	39. Tribute to M. Léon Bourgeois (2 Oct.)	1161
20. Work of the Economic Committee (25 Sept.)	1130		

APPENDIX VII.

Index to Resolutions, Recommendations, and Decisions of the Assembly, in the course of the Fifth Session.

[The figures in brackets refer to the numbers of the Resolutions.]

PAGE.	PAGE.		
Accounts of the League (33)	1142	Finances of the League :	
Allocation of the expenses of the League (21). (See also page 1120)	1144	Allocation of the expenses of, <i>q.v.</i>	1132
Request of Panama Government regarding contributions prior to 1923 (26)	1143	Arrears of contributions (27)	1132
Arbitration Clauses (Trade) (20)	1130	Budget, <i>q.v.</i>	
Arbitration, Disarmament and Security (1) (37) (38)	1114, 1118, 1136	Request of Panama Government regarding contributions prior to 1923 (26)	1143
Arbitration :		Financial Committee, Work of (2), (15), (17)	1128, 1130, 1129.
Draft Protocol on the Pacific Settlement of International Disputes (37)	1118	Fiscal evasion (15)	1130
General Treaty of Arbitration between Switzerland and Italy (8)	1161	Foreign nationals (20)	1130
Armaments :		Georgia (25)	1160
Arms Traffic (31)	1138	Greek refugees and Greek Loan (15)	1130
Reduction of, proposed Conference (1) (37)	1114, 1134	Health Organisation (6). (See also pages 1120 and 1139)	1135
Reduction of, and programme of the pro- posed International Conference (38). (See also page 1139)	1136	Hungary, Reconstruction of (2)	1128
Armenian refugees (16). (See also page 1139)	1151	Import and export prohibitions (20)	1130
Arms, Munitions and Implements of War, International trade and private manufacture of (31)	1138	Industrial Property Convention (20)	1130
Arrears of contributions (27)	1142	Intellectual Co-operation (14)	1132
Austria, Reconstruction of (7)	1126	International Institute, French offer (14)	1132
Bibliography (14)	1132	Instruction regarding aims of the League (34)	1160
Bourgeois, M. Léon, Tribute to (39)	1161	International Labour Office, New Building for	1147
Budget and Audited Accounts (33)	1142	International Law, Swedish proposal regarding the development of (13)	1127
Cancer, Mortality from (6)	1135	Iraq and Turkey, Frontier between	1159
Chemical warfare (31)	1138	Italo-Greek dispute (9)	1160
Child welfare (28)	1152	Italy and Switzerland, General Treaty of Arbi- tration between (8)	1161
Ciraolo, M. Giovanni, Scheme of, for establish- ing an international union against calamities (29)	1154	Jurists' examination of questions regarding the Italo-Greek dispute (9)	1160
Communications and Transit, Organisation for (10)	1134	Latin-American Bureau, Reorganisation of the (35)	1147
Conferences and Meetings outside Geneva, Com- mittee recommendation regarding	1141	Law :	
Conference Hall, Building of (22)	1143	International, Swedish proposal regarding the development of (13)	1127
Council of the League : Non-Permanent Mem- bers of the, Election of (24)	1124	Private, Unification of (32)	1136
Covenant :		League :—	
Amendments to Article XVI (30)	1125	Aims of, Instruction in Universities regarding (34)	1160
Articles of, relating to settlement of dis- putes (1)	1114	Instruction of youth in the ideals of the League (14)	1132
Customs formalities (20)	1130	Legal Assistance to the Poor (7)	1124
Danzig (15)	1130	Liberian proposal regarding balance due under Budgets of 1921, 1922 and 1923 (27)	1142
Declaration of Geneva (23)	1153	Lithuanian-Polish dispute	1159
Disarmament, Security, Arbitration and (See Armaments.)		Luxemburg, Balance due by (27)	1143
Disaster, mutual assistance for relief of peoples overtaken by (29)	1154	Malaria Commission (6)	1135
Economic Committee, Work of the (20)	1130	Mandates (12)	1158
Economic crises (20)	1130	Military Year Book (31)	1138
Epidemiological intelligence (6)	1135	Municipal relations, closer (3)	1155
Esperanto (10)	1134	Mutual assistance for relief of peoples overtaken by disaster (29)	1154
		Naval armaments (31) (38)	1138, 1136
		Non-Permanent Members of the League, Elec- tion of (24)	1124

	PAGE.		PAGE.
Office International d'Hygiène Publique (6)	1135	Sera and biological products (6)	1135
Opium (5)	1148	Slavery (11)	1157
Panama, Government of, request from, concerning contributions	1142	Staff Provident Fund	1141
Pension scheme for the personnel of the Permanent Court of International Justice (36)	1146	Statistics:	
Permanent Court of International Justice:		Public Health (6)	1135
Article 36, para. 2 (1) of Statute (37)	1114, 1118	Trade in arms, munitions and implements of war (31)	1138
Personnel of, Pension scheme for (36)	1146	Unification of methods of (20)	1130
Persia, Balance due by (27)	1142	Supervisory Commission, Reports of (33)	1142
Physical education (6)	1135	Switzerland and Italy, General Treaty of Arbitration between (8)	1161
Polish-Lithuanian dispute	1159	Taxation, Double (15)	1130
Poor, Legal Assistance to the (7)	1126	Telegraphic communications and Esperanto (10)	1134
Protection of Women and Children in the Near East (23)	1155	Trade questions (20)	1130
Publications of the League on financial subjects (15)	1130	Traffic in Women and Children (19)	1155
Publications, International exchange of (14)	113 ²	Transport, Regime of (10)	1134
Radio-telephony (10)	1134	Travelling facilities for students (14)	1132
Refugees (16) (18). (See also page 1140)	1151, 1150	Tuberculosis, Preventive measures against (6)	1135
Rules of Procedure, Rule 27 (4)	1125	Turkey and Iraq, Frontier between	1158
Russian refugees (18). (See also page 1140)	1150	University, etc., degrees, Spanish proposals regarding (14)	1132
San Domingo, Admission of (25)	1160	Women and children in the Near East, Protection of women and children (23)	1155
Scientific Property, Protection of (14)	1132	Women and children, Traffic in (19)	1155
Security, Arbitration and Disarmament (1) (37) (38)	1114, 1118, 1136		

NOTIFICATIONS.

Delhi, the 19th December 1924.

No. 44-IX-24-C.—In pursuance of the provisions of Rule 15 of the Council of State Electoral Rules and in supersession of all previous notifications on the subject, the Governor General in Council is pleased to direct that the regulations made by the Punjab Government for the safe custody of ballot papers and other election papers, for the period for which such papers shall be preserved and for the inspection and production of such papers shall apply in the modified form set out below for the purpose of the safe custody, preservation, inspection and production of election papers relating to the election of members to the Council of State from the Punjab:—

REGULATIONS.

1. Copies of the preliminary and final electoral rolls, registers and files of claims and objections, and applications for correction of clerical errors shall be kept in the Punjab Civil Secretariat until the completion of the next revision of electoral rolls and shall thereafter be destroyed:

Provided that only three copies of the preliminary electoral rolls shall be so kept.

2. The nomination papers of candidates, the documents relating to the appointment of election and other agents, the revocation of such appointments and withdrawals from candidature shall be kept in the Punjab Civil Secretariat, Lahore, and shall be destroyed after three years unless their retention for a longer period is ordered by the Local Government or any officer duly authorised to order such retention.

3. Election petitions, with the proceedings of enquiries by Election Commissioners shall be kept in the Legislative Department of the Government of India and shall be destroyed after three years unless their retention for a longer period is ordered by the Secretary in the said Department.

4. Any person may inspect any of the documents mentioned in the above regulations and obtain copies thereof on payment of fees on the scale for the time prescribed in the Punjab for the inspection of and purchase of copies of revenue records.

5. Copies of electoral rolls may be purchased from the Punjab Civil Secretariat, Lahore, subject to the condition that six copies of each roll shall be retained in the said Secretariat.

No. 44-IX-24-A.—In pursuance of the provisions of rule 15 of the Legislative Assembly Electoral Rules and in supersession of all previous notifications on the subject, the Governor General in Council is pleased to direct that the regulations made by the Punjab Government for the safe custody of ballot papers and other election papers, for the period for which such papers shall be preserved and for the inspection and production of such papers shall apply in the modified form set out below for the purpose of the safe custody, preservation, inspection and

production of election papers relating to the election of members to the Legislative Assembly from the Punjab:—

REGULATIONS.

1. Statements Nos. 1, 2 and 3 relating to urban areas prepared under the orders of the Elections Commissioner, Punjab, registers and files of claims and objections and applications for correction of clerical errors relating to the general constituencies, shall be kept in the general record rooms of the districts to which they relate, until the completion of the next revision of electoral rolls of the constituencies concerned and shall thereafter be destroyed.

2. Copies of the final electoral rolls, of the general constituencies shall be kept in the general record rooms of the districts to which they relate as well as in the Punjab Civil Secretariat and shall be destroyed after the completion of next revision of the rolls.

3. The nomination papers of candidates, the documents relating to the appointment of election and other agents, the revocation of such appointments and withdrawals from candidature shall be kept in the office of the Deputy Commissioner in whose districts the counting of votes for the seat to which they relate took place and shall be destroyed after three years unless their retention for a longer period is ordered by the Local Government or any officer duly authorised to order such retention.

4. The files of claims and objections decided by revising authorities of special constituencies shall be kept in the Judicial Branch of the Punjab Civil Secretariat, and shall be destroyed after three years unless their retention for a longer period is ordered by the Local Government or any officer duly authorised to order such retention.

5. Election petitions with the proceedings of enquiries by Election Commissioners shall be kept in the Legislative Department of the Government of India and shall be destroyed after three years unless their retention for a longer period is ordered by the Secretary in the said Department.

6. Any person may inspect any of the documents mentioned in the above regulations and obtain copies thereof on payment of fees on the scale for the time being prescribed in the Punjab for the inspection of and purchase of copies of revenue records.

7. Copies of electoral rolls pertaining to districts may be purchased at the record offices of the districts to which they pertain or from the Punjab Civil Secretariat, Lahore, subject to the condition that 30 copies of each roll shall be retained in the said Secretariat.

The 22nd December 1924.

No. F-46-V-24-A. C.—His Excellency the Governor General, in exercise of the power conferred by sub-section (2) of section 68D of the Government of India Act, is pleased to direct that a session of the Council of State shall commence at Delhi on Tuesday, the 20th January, 1925.