

The Janina murders and  
the Occupation of Corfu

by

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## The Janina Murders and the Occupation of Corfu.



ACTS are sometimes perpetrated by the Great Powers in good faith which later prove to be unjust. Sometimes acts of injustice are perpetrated against the light. It is not often that the British Government is implicated in the latter kind of misdeed, but the Corfu episode of 1923 places the British Government in the position of having knowingly taken part in an act of injustice, perpetrated by a judicial body in the teeth of all the evidence before it.

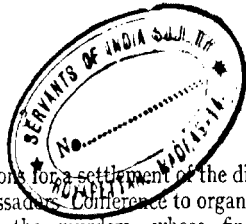
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On August 27th, General Tellini, two officers, an interpreter and a chauffeur, who were engaged in the Italian section of a commission sent out by the Ambassadors' Conference to delimit the Greek-Albanian frontier, were murdered near Janina in Greece. Signor Mussolini at once called a Cabinet meeting, which there and then, acting, as it was at first thought, under the influence of uncontrolled indignation, drew up and sent out an ultimatum to the Greek Government. Signor Mussolini assumed without proof and even without investigation that the responsibility for the murders lay directly at the door of the Greek Government. The demands made in the ultimatum were such as the Greek Government, by common consent outside of Italian circles, could not accept. The severest of them demanded an indemnity of fifty million lire to be paid within five days of the presentation of the Italian Note and the saluting of the Italian fleet by the Greek fleet flying the Italian flag. The severity of the ultimatum led to its inevitable comparison with the Austro-Hungarian ultimatum to Serbia in July, 1914, the sinister analogy being the more readily suggested because the Greek Government at once went to the limit of compliance compatible with ordinary self-respect and national dignity, and also because the whole

incident arose but of those same Balkan conditions which set the Great War into motion. The exact terms of the Greek answer are given below.

The Italian Government precipitately decided that the answer was inadequate, and the Greek island of Corfu was occupied on August 31st, the Italian fleet having moved even before the Greek answer was received. The lamentable experience of the Franco-Belgian occupation of the Ruhr gave rise to perhaps exaggerated fears for the Italian occupation of Corfu. As in the case of the Ruhr, so in that of Corfu, the occupation was represented to the Government of the invaded territory as a "peaceful and temporary" act. If the intentions of the Italian Government were honestly "peaceful," the performance showed how impossible it is to attain peaceful objects by warlike methods—a lesson which needs no display except apparently to the Fascist hot-headedness of Signor Mussolini. On his argument one must assume that when the Italian fleet bombarded Corfu the gunners had instructions not to hit anybody, and it is true, according to one eye-witness, that the casualties were due to the bad marksmanship of the Italian gunners rather than to deliberate atrocity. This is not a point that can be definitely established, but, whatever the explanation, the shells hit a school as well as the police headquarters. Colonel Lowe, of the Near East Relief Organisation, deposed that the casualties amounted to one hundred, including twenty dead, of whom sixteen were children. The imbecile ferocity of this act, whether due to erratic gunners or not, created a world-wide wave of indignation far greater than had been the original indignation against the Albanian murders. Realists argued that if five murdered Italians called for an indemnity of fifty million lire, twenty murdered refugees, Greek and Armenians, called for one of two hundred million lire, with the further difference that the Italian Government was openly responsible for the latter, while the responsibility for the former was not yet established.

There was all the less need for Fascist ruthlessness, because on the day before the occupation of Corfu the Ambassadors' Conference had met in Paris, and in the joint name of Italy, France, and Britain, had sent a telegram to Athens protesting against the crime, demanding an inquiry and "reserving to the Powers the right to announce in due course the penalties and reparations which may be judged necessary." The Greek Government had in the meantime taken the correct line of



invoking the League of Nations for a settlement of the dispute and of requesting the Ambassadors Conference to organise an international inquiry into the murders, whose findings, whatever they might be, Greece undertook in advance to accept.

Events moved quickly. The Council of the League was in session at Geneva and the Assembly was about to meet. An Italian argument, made in a careless moment, that the League was an instrument for settling the disputes of small, not big, States, galvanised the small States members of the League into united protest. The representatives of all the small States members were in Geneva in readiness for the opening of the Assembly, and Signor Mussolini on second thoughts recognised the difference between the Council and the Assembly of the League. While Signor Salandra could count on the chance of success before the Council, which is controlled by the big States members, he knew that the open discussions of the Assembly would give to the small States their opportunity for free speech. Signor Salandra at Geneva therefore dropped the argument which differentiated between great and small States, and instead challenged the League's competence to deal with a case which involved Italian honour. It appeared later that Signor Mussolini had failed to weigh his arguments, and was surprised to find that he had placed himself in a difficult position. Fascist methods had proved successful at home, but he found that they could not as easily be applied to the world at large.

What happened, therefore, was that the British Government, through Lord Robert Cecil, did the logical and honest thing by supporting the Covenant of the League of Nations. Lord Robert at Geneva proclaimed that in the British view the whole purpose of the League was defeated if there was to be differential treatment for small and for great Powers; that the occupation of Corfu was a clear violation of the Covenant, and that the League was clearly competent to deal with it. It was a dramatic moment when Lord Robert Cecil asked that Articles 10, 12, and 15 "of the Treaty" should be read aloud at Geneva, in the English and in the French text. Article 10 prescribes that "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"; Article 12, that "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 to inquiry by the Council, and they agree in no case to resort to war until three months after the award by the arbitrators or the report by the Council"; Article 15, that "If there should arise between Members of the League any dispute likely to lead to a rupture, which is not submitted to arbitration in accordance with Article 13, the Members of the League agree that they will submit the matter to the Council. Any party to the dispute may effect such submission by giving notice of the existence of the arrangements for a full investigation and consideration thereof."

It was a still more dramatic moment when Lord Robert corrected the interpreter who was reading out the Articles and who referred to them as "Articles of the Covenant." Lord Robert corrected him into saying "Articles of the Treaty." The distinction had an importance which cut across the whole European settlement and touched a particularly tender spot in the Quai d'Orsay. It recalled one of the severest diplomatic fights which took place in Paris when the Treaties of Versailles, St. Germain, Trianon, and Neuilly were being drawn up. Towards the end of March, 1919, strong forces in Paris advocated the postponement of the drafting of the League Covenant until the Peace Treaties proper had been drawn up and signed. Their professed object was to hurry on the work of the Conference. President Wilson, Lord Robert Cecil, and M. Veniselos, however, saw in this a manoeuvre for disjoining the Covenant from the Treaties, and their firm insistence on the incorporation of the Covenant as an integral part of the Treaties won the day.

The Corfu issue before the League was the first occasion on which the point of the Wilson-Cecil-Veniselos stand had been fully appreciated. The object was to link the fate of the League with that of the Treaties, and thereby to ensure the support of all those who stood to gain by the Treaties. It is to be remarked that the Covenant not only takes the first place in the Treaties, but that the numbers of its Articles are also those of the Treaties. In the Treaty of Versailles, for instance, the Articles of the Covenant are numbered 1-26. The next part of the Treaty, dealing with the boundaries of Germany, begins with Article 27, a fact which clinches the integral nature of the Covenant with that of the Treaty.

It was this consideration which was partly responsible for an immediate decision of the French Government to back the British Government in supporting the Covenant of the League. If the Covenant of the League was toppled down by the Fascist Samson, M. Poincaré saw that the rest of the Treaty of Versailles was bound to topple with it. As if to dispel any possible doubt on this point, M. Poincaré was faced with a striking demonstration of unanimity among the small States, including the Little Entente States, Poland, and even Belgium, all of whom took their stand by the vindication of the Covenant, and by the argument that unless it was vindicated in the case of a big Power as it had been, for instance, in that of Yugoslavia some time before, there was no point whatever in their remaining members of the League. The point was crystal clear even to Signor Mussolini.

An interesting diplomatic manœuvre was immediately undertaken by him. Seeing that he had placed himself in the wrong, and what was more to the point for him, that the whole world's limelight had been switched on him in that position by Geneva; and knowing, moreover, that the Quai d'Orsay, the home of lost causes, was his only hope of escape, he at once approached M. Poincaré. His line of approach was, if one may call a spade a spade, unmistakably suggestive of blackmail. What he said was: (1) that if the British Government through Lord Robert Cecil successfully put Italy in the dock at Geneva on account of the occupation of Corfu, it would be France's next turn in the dock on account of the occupation of the Ruhr; (2) that just as the British Government argued a violation of the Covenant, and of the Treaty, by Italy, so it had in the White Paper of August 12th, challenged the legality of the occupation of the Ruhr under the terms of that same Treaty; (3) that herein lay the predisposing conditions for an Italo-French bargain which should take the following form: (a) the French Government should withdraw its decision to support the British Government at Geneva; (b) that the French Government should undertake to have the Janina-Corfu issue settled, not at Geneva by the League, but at Paris by the Ambassadors' Conference; (c) Italy in return should promise to support France against Britain in any difficulty that might arise over the Ruhr, and in particular would support a reparations solution between Germany on one side, and Belgium, France and Italy on the other, by which the interests of these three should be placed first, and British interests should be postponed for future consideration.

The Ruhr proved to be the Achilles heel of the Quai d'Orsay. Signor Mussolini won his point, and the bargain was struck. France therefore decided to run the gauntlet of Brussels, Prague, and Warsaw. Lord Crewe was informed of the accomplished fact, and he informed the Foreign Office in London. London instructed Lord Robert Cecil in Geneva to mark time, the meeting of the Council of the League was postponed, and the negotiations were transferred to Paris. Lord Crewe being in a minority of one against the French and Italian Ambassadors, had no alternative but to accept the solution. He was, however, able to use the lever of the impending meeting of the Assembly to extract a concession from M. Poincaré and Signor Mussolini on their side. He was able to argue that the British Government was in the position of champion of the small States, including the Little Entente and Belgium as well as Greece, and from the French point of view, the Assembly would be likely to prove a source of considerable embarrassment if any decision announced by the Ambassadors' Conference were to endorse the demands contained in the Italian ultimatum to Greece. The British demand in Paris therefore was that the Ambassadors' decision should embody the Greek rather than the Italian point of view. Signor Mussolini agreed to this under pressure from M. Poincaré, and the Ambassadors' Note was drawn up in the Quai d'Orsay on the agreed lines. How closely the agreement was followed may be seen at a glance from a tabular comparison of the three documents :—

| <i>Italian Ultimatum.</i>  | <i>Greek Reply.</i>  | <i>Ambassadors' Note</i>  |
|--|--|---|
| <p>1. Apologies to be presented by the Supreme military authority of Greece to the Italian Government at the Italian Legation at Athens.</p>     | <p>The Greek Government to express its regrets to the Italian Government and the Commandant de la Place at Athens to visit the Italian Minister for the purpose.</p> | <p>(Sept. 8th).<br/>Apologies to be presented to the representatives of the three Powers.</p>   |
| <p>2. Honours to be rendered to the Italian flag in the presence of an Italian naval division by the Hellenic fleet flying the Italian flag.</p> | <p>Honours to be rendered to the Italian flag by a detachment of the Athens garrison in front of the Italian Legation.</p>   | <p>Honours to be rendered to the warships of the three Allied Powers, which will arrive before Phaleron, the Italian naval division leading. The salute to be returned shot for shot by the Allied vessels.</p> |

| <i>Italian Ultimatum.</i>  | <i>Greek Reply.</i>  | <i>Ambassadors' Note.</i>   |
|--|--|---|
| 3. Inquiry into the murders to be made by the Greek authorities in the presence of the Italian military attaché. | This condition refused, but the <i>cours</i> of the Italian military attaché accepted. | Inquiry to be made by the Greek Government under the supervision of a Commission composed of delegates of France, Great Britain, Italy, and Japan under the presidency of the Japanese delegate. The Greek Government to defray the expenses of the Commission. |
| 4. Capital punishment to be imposed on all who are found guilty.   | This was refused.  | This is omitted, but culprits to receive "exemplary" punishment.  |
| 5. Indemnity of 50 million lire to be paid within 5 days.  | This was refused, but a just indemnity to the families of the victims was offered.     | The Greek Government to deposit 50 million lire "pour être remis en tout ou en partie, au gouvernement italien sur décision de la Cour Permanente de Justice Internationale de la Haye."  |

It was to be remarked (1) that the Ambassadors assumed without inquiry that the murders were of a political character, and (2) that the final paragraph of their Note implied, though it did not make a water-tight stipulation, that Corfu should be evacuated. The text of the last paragraph was as follows :

"The Conference takes note of the fact that the Italian Government confirms that the occupation of Corfu and of the adjacent islands has no other object than to obtain satisfaction for the demands which that Government has made to the Greek Government, and of the fact that these demands are covered by the conditions above formulated by the Conference, and invites the Greek Government to inform without delay simultaneously and separately each of the diplomatic representatives at Athens of the three above-mentioned Powers its integral acceptance of the preceding conditions."

The Note was dispatched to Athens on September 7th, and was promptly accepted by the Greek and Italian Governments, the Greek answer drawing particular attention to the last paragraph about Corfu. The Ambassadors reassembled during the following few days in order to work out with Signor Mussolini the exact date when Corfu and the other



islands should be evacuated. Their discussions were lacking in smoothness, which went to show, what had already been shown in Europe, that it is easier for a Government to occupy the territory of another Government than to agree to evacuate it. The very continuance of the Italian occupation after the Ambassadors' decision was hard to justify. There had been some point at an earlier stage of the controversy in Signor Mussolini's representing the occupation of Corfu as a "pledge" against the Greek payment of the penalties, for the word itself cleverly checkmated French support of Britain at Geneva; but there was neither sense nor honesty in continuing to represent the occupation as a "pledge" when the Conference of Ambassadors had made itself responsible for the exaction of the penalties and when, moreover, the Greek Government had deposited the maximum sum of 50 million lire in Switzerland in advance of the award by the Permanent Court of International Justice.

The Ambassadors decided on September 14th that the time-limit for the Italian evacuation of Corfu should be September 27th; and drew up the following detailed scheme for the execution of their decision of September 8th:—

1. The Allied diplomatic representatives at Athens shall fix in agreement with the Greek Government the date on which the apologies intimated in the Conference's Note shall be presented to them, and which must be presented by the 18th inst. at the latest.

2. The funeral service in honour of the victims shall take place in Athens on September 19th at 10.30 in the morning.

3. The ships of the three Allied Powers shall arrive in the Phalerum Roads the same day. The details of the execution of the third condition (the saluting by the Greek fleet of the Allied flags) will be communicated to the Greek Minister in Paris.

4. Honours shall be paid to the victims' remains on September 19th, the date of their embarkation at Prevesa.

5. The Inter-Allied Supervisory Commission shall begin its labours on September 17th at Janina. Five days at the most after their arrival the Commission shall report telegraphically its first observations. In the event of the guilty parties not being by then discovered the Commission shall notify the conditions under which the search for them has been carried out. Acting upon this report, the Conference shall decide whether the fifth condition of its Note of September 8th may be regarded as fulfilled. In the event of this condition not having been fulfilled, as the Italian Government has announced its decision to evacuate Corfu in any circumstances by September 27th, the date fixed by the Conference for the termination of the inquiry, the Conference reserves the right to notify Greece of measures of another nature which may be taken with regard to Greece by the Allied Powers by way of coercion or penalty.

The latter measures may consist, for example, of the payment to Italy of 50,000,000 lire, in which case the Conference will request the Permanent Court of International Justice at the Hague to liberate the security deposited by Greece, and will forego all recourse to the Hague in accordance with paragraph 7 of the Note of September 8th, except that Italy may apply to the Hague Court individually for her occupation costs.

The extreme severity of these demands on Greece was obvious; and it was remarked in diplomatic circles that no criticism whatever was made on Italy for the occupation of Corfu, nor was any provision made for the contingency that the murderers might already have made their escape from Greek territory. In British Government circles dissatisfaction was felt with the whole treatment of the Corfu episode.

#### CORFU AND THE LEAGUE.

After the decision of the Ambassadors' Conference the question was asked on all sides: How had the prestige of the League of Nations fared? It was clear that Italy had directly defied the League of Nations and had not only escaped the penalties prescribed by the Covenant for a "Covenant-breaking State" (to use the words of Article 16), but had succeeded in transferring the issue from the League's jurisdiction, and had persisted with impunity in the occupation of Corfu. It should be remarked, however, on the other side that (1) the difference between Serajevo in 1914 and Janina in 1923 was that there was no League of Nations in 1914 and the Austro-Hungarian ultimatum therefore led straight to war, and to war moreover which could not be localised; whereas in face of the Italian ultimatum Greece could appeal to the League, no formal war resulted, and Signor Salandra had to state his case at Geneva. (2) The moral opinion on which the League rests was stirred as it never was before by the spectacle of a big State member of the League attacking a small State member, in defiance of its undertakings under the Covenant. The reaction against this spectacle brought many people to realise the necessity of the League who had scoffed at it before. (3) The decision of the Ambassadors' Conference followed the lines of a resolution proposed (but not carried) in the League Council on September 6th, a copy of which was sent to Paris before the Ambassadors made their decision. (4) The Ambassadors referred the responsibility of adjudicating on the amount of the Greek indemnity to the Permanent Court of International Justice, a League organisation. (5) The Ambassadors' Conference sent the following communiqué to the League after

the event: "After having received the communication which the Council of the League of Nations was good enough to send to the Ambassadors' Conference on September 6th, 1923; taking note of the wish expressed by the Council to be kept informed of the deliberations of the Conference; with due respect to the high spirit of justice as well as to the desire to maintain harmony between nations had inspired that communication; animated with the same feelings of justice and with the same desire for justice as the Council of the League of Nations; after having taken note of the detailed account of the meeting of September 6th of the Council of the League of Nations, having studied with the greatest care the opinions uttered by various members of the Council at that meeting; the Conference of Ambassadors thanks the Council for having furnished important elements for appreciation, and has the honour to communicate the terms of the following note which it is addressing to-day to the Greek Government."

On the other hand, it could not be denied that the case of Corfu bore an uncomfortable resemblance in one way to that of Vilna. They both have proved that any one Great Power in league with another Power great or small can stultify the League in its present form. Until the League is made more complete by the admission of Germany and Russia, it will always be at the mercy of such a combination. General Zeligowski, it may be recalled, occupied Vilna, which was Lithuanian territory, in October, 1920, and Poland was an original member of the League. The flagrancy of the violation of the Covenant in this case was heightened by the fact that less than a month earlier, at a session of the League Council, M. Paderewski, on behalf of Poland, shook hands with Professor Woldemar of Lithuania in ceremonial token of their respective country's desire to settle the dispute by League methods. Less than a month after the occupation of Vilna, namely, on October 14th, 1920, M. Léon Bourgeois, on behalf of the League Council, wrote to M. Paderewski: "The occupation of Vilna is a violation of the engagements accepted *vis-a-vis* the Council of the League of Nations, and it is impossible for the latter not to demand of the Polish Government what immediate measures it proposes to take in order to assure respect for those engagements." Poland ignored this request, which was repeated with emphasis a little later. The League then made the fatal mistake of negotiating with Poland and Lithuania about the fate of Vilna with the Poles still in unlawful possession. During

the course of the discussions, the Franco-Polish military and diplomatic entente was consolidated, with the result that finally Vilna was assigned to Poland by the League of Nations itself. In that case a Franco-Polish combination within the League had not only defied the Covenant, but had made the League give its blessing to a violation of its own Covenant and legalise the ill-gotten gains of a "Covenant-breaking State."

#### AMBASSADORS AS PIRATES.

The end of the Corfu episode was worse even than had been foreseen after the scheme of the Ambassadors' Conference had been drawn up on September 14th. The Commission of Inquiry set up by the Ambassadors duly started its work at Janina on September 17th, the British representative being Major R. E. Harence, of the Second Lancers, who at the time of his appointment was in Constantinople. The Commission had been given a time-limit of five days in which to draw up and telegraph its "first observations" to the Ambassadors' Conference. Within that time-limit the Greek Government was to satisfy Clause 5 of the Ambassadors' Note of September 8th, which read: "The Greek Government undertakes to ensure in all the desirable conditions of celerity the search for and the exemplary punishment of the culprits." If the murderers of the Italian mission had not been discovered by then, the Commission had to report on "the conditions under which the search for them had been carried out," and the Ambassadors' Conference, in accordance with its Note of September 14th, would then have to decide whether the Greek Government had done everything that could be reasonably expected of it, or whether the Ambassadors should adopt "measures of another nature...by way of coercion or penalty." It had been hinted in the Ambassadors' Note that such measures might include the handing over to Italy of the 50,000,000 lire deposited by the Greek Government as the security for the payment of whatever indemnity might be demanded by the Permanent Court of International Justice. In the event of the latter penalty being decided on, Italy would not only receive the 50,000,000 lire, but might "apply individually to the Hague Court for her occupation costs."

During the five days of the Inquiry Commission's work it became known that the British, French, and Japanese representatives were satisfied that the Greek Government was doing all it could to facilitate the work. On the Wednesday morning of that week (September 19th) the ceremonial part

of the Greek amends for the murders was carried out. The Greek fleet fired twenty-one salutes each to the Italian, British, and French fleets drawn up in Phaleron Bay, the salutes being returned shot for shot. The scene was in melancholy contrast to other historic scenes that have been enacted in that famous bay. Not a Greek was to be seen on the Phaleron front, and Athens, which had stayed at home, heard but did not see the distant ships. At the end of the week everyone expected that by the following Thursday (September 27th) the whole affair would be closed in accordance with the decisions already reached by the Ambassadors' Conference and now in the process of execution; that is to say, that on the presentation of the Inquiry Commission's report the question of damages would be referred to the Permanent Court of International Justice in accordance with the Ambassadors' Note of September 8th; and that on September 27th the Italians would evacuate Corfu.

The report of the Inquiry Commission was duly presented on September 22nd, and the Ambassadors' Conference met in Paris on September 25th to consider it. The meeting was adjourned till the following day, in the evening of which the Ambassadors issued an official *communiqué* in the course of which it was declared that the Conference of Ambassadors:—

“ Having, in conformity with paragraph 5 of its Note of the 13th, examined this report from the point of view of execution of paragraph 5 of the Note of September 8th; Consider that on the day of the said report the guilty persons had not been discovered; That on the other hand several charges of negligence had been raised against the Greek authorities in connection with the conduct of the inquiry; That in so far as concerns the search for the culprits several negligences have been noted; Judging that the fifth condition of the Note of September 8th cannot be in consequence considered as fulfilled; Decides that by way of penalty on this account the Hellenic Government shall pay to the Italian Government the sum of 50,000,000 Italian lire; the Conference and the Italian Government renouncing the appeal to the Hague Court of International Justice provided for in paragraph 7 of the Note of September 8th as well as any other penalty, and considering the question as settled on their part except for special recourse by Italy to the Court of International Justice on the question of the cost of the occupation; Decides that the payment of the sum of 50,000,000 lire above referred to shall be effected by the transfer to the Italian Government of the sum of 50,000,000 lire deposited on September 10th

with the Swiss National Bank ; And that in consequence the Court of Justice will be asked to order the transfer of this sum by the Swiss National Bank to the Bank of Italy at Rome to the account of the Italian Government. The Conference takes note in this connection that the Italian Government declares that it will carry out on September 27th the decision previously taken to evacuate Corfu on that date."

#### LORD CREWE AND THE FIFTY MILLION LIRE.

That document was signed by Lord Crewe, British Ambassador in Paris, on behalf of the British Government, which thereby was implicated in a gross act of quibbling injustice perpetrated by "Great" Powers on a small Power which had deposited the 50,000,000 lire in good faith. If there is any honesty left in British public life, the new Parliament will insist against all evasion on two things : (1) the publication of the text of the Inquiry Commission's report presented on September 22nd ; (2) an explanation from the Government of what happened at the Ambassadors' meetings on September 25th and 26th and why Lord Crewe signed the decision. The Baldwin Government deserved to be called sharply to account for the depths to which it had allowed British diplomacy to sink during its short term of office. For the Government to have been guilty within one month of feeble scuttling over the Ruhr and of something approaching dishonesty over Corfu was not an achievement of which British diplomacy can be proud. At the beginning of the Corfu episode Lord Robert Cecil's fine stand for honest dealing established British prestige as something which the small States throughout the world could depend on. Lord Crewe, on September 26th, with a stroke of his pen bade the small States go boil their heads. On September 2nd, at Geneva, British policy antagonised Italian feeling because it stood openly for justice against an act of Italian injustice. On September 26th British policy in Paris antagonised the States which had applauded on the former occasion, by walking over to the enemy's camp. There was neither consistent realism nor consistent idealism in British policy, which as a result reaped the worst of both worlds.

What in fact happened on September 25th and 26th was that the French and British Ambassadors submitted to the dictatorship of the Italian Ambassador, whose chief, Signor Mussolini, had instructed him to carry off the 50,000,000 lire under the threat of a continuance of the Italian occupation

of Corfu beyond September 27th. The Ambassadors on September 25th had before them the Inquiry Commission's report, which failed to establish the case against Greece.

How then was Baron Avezana able to induce Lord Crewe and M. Jules Cambon to tear up the Commission's report and to become accomplices with the Italian Government in stealing the 50,000,000 lire which had been deposited by the Greek Government in good faith? On September 26th, Baron Avezana triumphantly produced his trump card. He recalled that on September 13th he had agreed, not that Italy would evacuate Corfu by September 27th unless in the meantime the Greek Government had been proved guilty of negligence in the search for the murderers, but that Italy would not evacuate unless in the meantime Greece had been proved to be not guilty of negligence. If a boy at an English school had behaved as Baron Avezana behaved in Paris, he would have received at the hands of his fellows the thrashing of his life. The Ambassadors of Britain and France, by contrast, not only approved, but became parties to an act of unscrupulous trickery perpetrated on a small and impoverished State which was helpless in their power. It is fair to Lord Crewe to record that he protested against the proposed action of the Ambassadors and at first refused to sign. He submitted the point to the Government in London, and only signed on receiving instructions to do so from London. Nothing is gained by following Baron Avezana on to his own dialectical ground, but perhaps one may recall that whether his statement to the Ambassadors on September 26th represented the facts or not, it was completely beside the point. Even if on September 13th he had made a declaration which contained the quibble which he later made use of, the fact remained that on September 14th a Note of the Ambassadors' Conference—bearing Baron Avezana's own *imprimatur*—put on record Italy's undertaking to evacuate Corfu by September 27th "in any circumstances." This statement was drawn up *after* Baron Avezana's individual declaration; and if it failed to interpret correctly what he had said, why did he sign it or if he wanted to repudiate his signature, why did he not repudiate it publicly, at once, before the Inquiry Commission started its work?

#### LORD ROBERT CECIL AND CORFU.

As was natural, the League's record in the Corfu episode became the subject of keen controversy. Lord Robert Cecil

wrote a letter to the *Times* of October 3rd explaining that, after the event, the Council of the League passed a resolution (September 28th) which declared that "the members of the Council agree 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 it is 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." Lord Robert added: "The Italian delegation concurred in this declaration, which seems quite explicit as to the competence of the League. It should help to remove any impression which may have been created that Italy is not whole-hearted in her acceptance of her obligations under the Covenant." It is hard to criticise Lord Robert Cecil, the chief founder of the League, on any matter connected with the League. His past work for the League is something that one respects. Lord Robert, however, is also a member of His Majesty's Government, and when the Cabinet travelled from September 2nd to September 26th he went with it and shared the responsibility. To read the impassioned protests with which at Geneva he denounced the Italian delegate's defiance of the League, side by side with his subsequent statement, quoted above, about Italy's "whole-hearted, etc.," is a melancholy disappointment. It is difficult to see how whitewashing of that kind can do the League any good.

#### THE JANINA REPORT.

It is not surprising that the report of the Janina Commission on the murders of August 27th has been suppressed by the Ambassadors' Conference, nor that the Greek Government has been refused a copy. The deadened moral sense produced by the diplomatic atrocities of our time, coupled with the diversion of a general election, enabled Mr. Baldwin's Government to escape the obligation of explaining the part it played in so dishonourable an episode. No honest public man in London will, however, rest content until Mr. Baldwin or his successor has published the Janina report. This hole-and-corner business is thoroughly un-English. In the meantime a summary of the report has been published by the Diplomatic Correspondent of the *Daily Telegraph* (November 9th), and the full text of it has come into my hands. The document affords the evidence on which the Ambassadors' Conference had to judge the Italian case against Greece.



The Ambassadors decided to suppress the document and refused to let even the Greek Government know the evidence on which it was condemned. This report has been kept a close secret in the archives of London, Paris, Rome and Tokio, and unusual care has been taken to prevent a leakage. I now publish it in full in the conviction that it is right to expose the whole case.

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INTER-ALLIED CONTROL  
COMMISSION IN EPIRUS.

JANINA,  
*September 30th, 1923.*

REPORT AT THE END OF INVESTIGATIONS.

By its decision of September 8th, 1923, the Conference of Ambassadors decided to send to Janina a special commission composed of delegates from France, Great Britain, Italy, and Japan, under the presidency of the Japanese delegate, to control the enquiry operations carried out by the Greek Government with a view to the discovery of the authors of the outrage committed on August 27th, 1923, against the Italian Delegation to the Commission for the delimitation of the Greek-Albanian frontier.

I.—MEETING OF THE COMMISSION.

The Inter-Allied Control Commission in Epirus, composed of—

Messrs. Colonel Shibouya (Japan), *President*,  
Colonel Beaud (Italy),  
Lieut.-Col. Lacombe (France),  
Commander Harence (Great Britain),

was constituted at Janina on September 17th, and immediately mapped out in its main lines the general plan of its work.

## II.—AUTHORITIES AND WITNESSES HEARD BY THE COMMISSION.

In the course of its operations the Commission obtained evidence from :—

(1) *On Greek territory*, in the presence of M. DENDRAMIS, the representative of the Greek Government—

The Public Prosecutor at the Court of Cassation, sent to Janina from Athens by the Hellenic Government to supervise and expedite the enquiry made by the local authorities ;

The King's Attorney at the Tribunal of First Instance at Janina ;

The Examining Magistrate of the Janina Tribunal ;

The Colonel commanding the VIIIth Division at Janina ;

Lt.-Col. BOTZARIS, the first Greek authority to have reported the crime ;

The Director-General of the Gendarmerie, sent from Athens ;

The Colonel commanding the Gendarmerie of the Janina division ;

The Greek officers in command of the units and posts nearest to the place of the crime ;

The telephonist of the frontier post of KAKAVIA, whose declarations were potentially of a special importance ;

The principal civil witnesses already heard by the Examining Magistrate of Janina and those whose testimony, not having been obtained by that authority, was considered necessary by the commission ;

Mr. READ, British police officer attached to the Hellenic Government, who attended the first operations of the Hellenic enquiry.

(2) *On Albanian territory*, in the presence of M. MEHDI FRASHEKI, representative of the Albanian Government—

M. BERATTI, Albanian delegate on the Commission for the delimitation of the Greek-Albanian frontier ;

The Prefect of Argyrocastro ;

An inhabitant of the village of CAUSI, named TIMIOLOLIO, whose testimony is invested with special importance ;

(3) The Commission further interviewed two men suspected of having committed the crime :

*At Janina*, the bandit MEMOS, of Greek origin, who, being condemned to death in Greece, became a refugee in Albania.

*At Argyrocastro*, the bandit STEFAN CEREÀ, arrested as a suspect by the Albanian authorities on September 12th.

The depositions made by the authorities and persons enumerated above form the material on which are based the reports and documents attached as annexes to the present Report.

### III.—FIRST OBSERVATIONS MADE BY THE COMMISSION.

In conformity with the instructions received from the Conference of Ambassadors, the Commission, on September 22nd, telegraphed to that Conference the result of the observations made by it in the course of the first five days of its work. In the first report the Commission formulated its findings in the following words :

“ At the present stage of its labours both by reason of the difficulties and of the complexity of the problem to be solved, the Inter-Allied Commission of Janina cannot yet formulate a firm, definitive and unanimous opinion on the responsibilities incurred in the outrage of August 27th.

“ From evidence collected and from observations made by the Commission, it follows that :

“ (1) The crime was prepared and carried out in conditions so minutely studied that clearly it is a case either of a political crime or of a vendetta carried out against General Tellini in which the other victims were sacrificed by the assassins only for the purpose of removing all the witnesses of the deed.

“ (2) *Conduct of the Enquiry.*—The enquiry carried out by the Hellenic authorities after the crime certainly shows cases of negligence on the part of those authorities, but the observations made up to this date are not complete or decisive enough to allow the Commissioners to judge whether the Greek Government ought to be held responsible for the cases of negligency revealed, or whether these negligencies are the result of the defective organisation of a police administration which disposes of imperfect means of criminal investigation.

“ For the moment the Italian Commissioner, for reasons more particularly of a moral order, inclines rather to the first hypothesis, while the other three Commissioners incline to the second.

“(3) *Search for the Culprits.*—On this head also the Commission has established several cases of Greek negligence, but it ought to be pointed out that on the one part the atmosphere of mystery and fear which surrounds the crime and on the other part the nature of the territory make investigations extremely difficult.

“(4) The Commission is actively pursuing its investigations, and is making energetic representations to the Greek authorities to continue the search for the culprits.”

#### IV.—CONTINUATION OF THE ENQUIRY AFTER SEPTEMBER 22nd.

From September 22nd to 27th, the date on which it was asked to return to Paris to give an account of its work, the Commission prosecuted its investigations and its researches both in Epirus and in Albania.

It is able to define as follows the results of its findings:—

##### A.—*Greek Responsibilities Before the Crime.*

(a) A fairly violent press campaign was launched before the crime against General Tellini, who was accused by public opinion of unfairly favouring Albania to the detriment of Greece in the work of delimiting the frontier between these two countries.

The Hellenic Government appears not to have exerted itself to put a stop to this campaign or to calm down opinion which had been stirred up by excited patriots.

(a1) The Governor General of Epirus and the authorities of Janina were aware of rumours which circulated in that town before the outrage of August 27th on the subject of the appearance of bands of brigands in the frontier region towards Kakavia.\*

Several days before the crime the Governor General had advised the Italian Consul not to travel without escort to Santi-Quaranta, where he was to embark for Brindisi.

Under these conditions it is astonishing that no special measures should have been taken by these same authorities to assure the protection of the Commission of Delimitation in the suspected region.

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\* The point where the route from Janina to Santi Quaranta touches the Greek-Albanian frontier.

Even admitting that General Tellini did not ask for an escort, and even if General Tellini had refused an offered escort, it would evidently have been prudent for the Greek authorities to have insisted that General Tellini should accept this escort, and in case the General persisted in his refusal, to have asked him to release them from all responsibility.

*B.—Greek Responsibilities as regards the Conduct of the Enquiry by the Judicial Authorities.*

In a general way the Commission has established that the Hellenic judicial enquiry has been conducted with all the despatch made possible by the habitual working methods of the Greek authorities. This enquiry reveals certain important gaps, to which the Commission draws the attention of the Conference of Ambassadors.

(b) On the day of the crime the motor car which carried General Tellini and his companions was preceded at an interval of a few minutes, by the car of the Albanian delegation. The latter car held five people, not one of whom has been questioned by the Examining Magistrate of Janina. Their declarations might, however, afford a certain amount of interest.

(b1) The motor car of General Tellini at the moment of the outrage was stopped in the road by a barricade of tree branches which had been placed across the road by the assassins who were posted in the neighbourhood.

That barricade would have afforded evidence for the trial: its constituent elements ought to have been reserved so that the finger prints which must have been on them could be taken.

It is true that orders were given with this object by the Hellenic authorities, but it appears that they were not precise enough: by the very evening of the crime the branches had disappeared and were burnt by the soldiers of the neighbouring Greek post, although there was no shortage of fuel in the brushwood surrounding the post itself.

*C.—Greek Responsibilities as regards the Pursuit of the Culprits.*

The crime took place on August 27th towards 9 o'clock in the morning. Now the Hellenic military authorities did everything to conceal the news of the outrage from the

Albanian delegation which preceded General Tellini's car; during the whole day of the 27th this delegation, ignorant of what had taken place, was surprised at the General's delay in reaching the *rendezvous*, but the Hellenic military authorities forbade the delegation to return to Janina. It was only at 7.0 p.m. that the Albanian delegation received the authorisation to return to Janina which it had asked for several times. Being prevented from travelling by a motor car breakdown, the Albanian delegation asked the officer in charge at Kakavia to enquire into the reasons for the General's non-arrival. The answer he received was that General Tellini was tired and had returned to Janina with his party. It was only on the following morning that the Albanian delegation was able to find out about the disaster. It was informed about it in detail by the Colonel commanding the VIIIth Greek division on the spot where the crime took place.

It is a matter for surprise that the Albanian delegation, which was only 10 km. from the place of the crime, was not told of this crime by the Greek authorities in spite of repeated requests. The officer in charge at Kakavia was close at hand, and had a telephone with which he could communicate with the telephonic post of the battalion reserve, from which was given the order forbidding the Albanian delegation to return to Janina.

It is proper to observe that Kakavia is only 40 km. from Argyrocastro, and that an Albanian telephonic post makes communication possible with the chief of police of that town. If, therefore, the Albanian delegation had been informed of the crime as soon as it was discovered, immediate measures could no doubt have been taken on the Albanian as well as on the Greek side of the frontier. Possibly the network of vigilance thus constituted and reinforced would have led to the discovery of the culprits, who would have had less chance of escaping pursuit.\*

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\* The British delegate observes that if the crime was so carefully concealed from the Albanian delegation it was no doubt because Lt.-Col. BOTZARIS was afraid lest the inhabitants of the Albanian villages near the frontier, in which he perhaps knew there were some of the accomplices of the crime, might take steps to conceal the authors of the assassination and prevent their detection. The British delegate bases his opinion on an episode in his own experience, where he had known the same processes of concealment carried out against himself in Asia Minor.

It appears that Lieut.-Col. Botzaris had the entire responsibility for concealing the crime from the Albanian delegation.

(c1) Orders certainly appear to have been given in good time by the Greek military authorities for strengthening the vigilance of the frontier posts and for pursuing the culprits.

But these same authorities do not appear to have assured themselves personally of the execution of the orders given by themselves or by their subordinates. They were content with verbal reports, and were unable to give to the Commission an emphatic assurance that the steps taken, especially by the commandants of detachments, to pursue the culprits were adequate to the situation.

It is perhaps proper to see above all in this negligence a defect in the training of the Greek army.

#### *D.—Albanian Responsibilities.*

On August 31st an inhabitant of the Albanian village CAUSI\* named TIMIO LOLLIO, went and warned the Albanian authorities that a band of 13 brigands had come into his village, that the chief of this band, YANI VANCHO, a man of Greek origin, had admitted to him that he and his band were the authors of the crime, that he had recognised in this band two men, also of Greek origin, but Albanian subjects, named STEFAN CERIA and GOLA SENITZA.

The Albanian authorities of Argyrocastro, as soon as they were made aware of this deposition, despatched to Causi a detachment of 30 gendarmes. With the exception of Stefan Ceria the brigands escaped towards the Greek frontier, which they succeeded in crossing again, thus passing into Greek territory.

The Albanian authorities did not inform the Greek authorities of the deposition made by Timio Lollo, nor of the events which followed it.

Moreover, on September 12th, Stefan Ceria was placed under arrest by the Albanian authorities of Argyrocastro, a fact which again was never reported to the Greek authorities, nor was anything said about it to the Inter-Allied Control Commission when it went to Santi-Quaranta on September 17th.

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\* Eight to ten km. east of Santi-Quaranta.

*E.—The Commission's Conclusions.*

The problem to be solved is very complex. Much time and caution are needed. In the short period at its disposal the Commission cannot hope to elucidate the mystery of the outrage of August 27th.

The Commission therefore is not in a position to pronounce definitely and emphatically on the real responsibilities incurred. At the present stage of the inquiry it can only refer on this subject to the opinion already given in its report of September 22nd.

Nevertheless we seem to be getting near the truth.

On the one hand the Greek authorities have laid hands on a bandit, Constantine Memos, notorious in Greece for his numerous crimes, and for the price placed on his head by the Greek Government. Nothing as yet would authorise us to declare that Memos was one of the assassins, but the past of this brigand, whom rumour widely accuses, furnishes a presumption of guilt.

On the other hand, the arrest in Albania of the bandit Stefan Cerea gives to the Albanian authorities a serious basis for inquiry, and allows one to hope that a clue has been found which may lead to the apprehension of the leader of the gang, Yani Vancho, whose confession was received by a witness who has made a formal deposition on the subject.

Before leaving Janina the Commission deemed it a duty to communicate--

To the Albanian Government the information collected in Greece about Memos ;

To the Greek Government the information obtained in Albania on the Vancho band and on the arrest of one of its members, Stefan Cerea.

But this precaution is insufficient if it is desired to ascertain the full truth.

To arrive at this result it is indispensable to ensure a complete understanding between the Albanian and Greek Governments. This understanding can only be realised under the energetic pressure of the Ambassadors' Conference. The Inter-Allied Commission therefore earnestly requests the Conference to intervene with both Governments in order



that the inquiry should be continued in agreement with the judicial authorities of both countries. And in order to assure that agreement, the Commission suggests that at least one neutral person, an expert in criminal investigation, should be placed at the disposal of the two Governments, Greek and Albanian.

|                           |           |
|---------------------------|-----------|
| The President .. ..       | SHIBOUYA. |
| The British Delegate ..   | HARENCE.  |
| The Delegate of France .. | LACOMBE.  |
| The Delegate of Italy ..  | BEAUD.    |

The Italian delegate asked that the following declaration be inserted after the present report :—

#### DECLARATION OF THE ITALIAN DELEGATE.

“ The Italian delegate, while associating himself with the general lines of the present report, does so under the reservation of sending to the Conference of Ambassadors a special report about circumstances which enable him to establish at once the grave responsibility of Greece and to give indications which may lead to the discovery of the culprits.”

The Delegate of Italy, COLONEL E. BEAUD.

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