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the Members of the League and the  
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Geneva, September 1st, 1928.

**LEAGUE OF NATIONS**

**WORK OF THE INTERNATIONAL COMMITTEE  
ON INTELLECTUAL CO-OPERATION**

REPORT BY THE FRENCH REPRESENTATIVE AND RESOLUTION ADOPTED BY THE  
COUNCIL ON SEPTEMBER 1ST, 1928.

The International Committee on Intellectual Co-operation held its tenth session at Geneva from July 25th to 30th, 1928. According to established custom, this session had been preceded by meetings of its four Sub-Committees. In the present report I shall merely give a brief review of its work.

In place of the late Professor Lorentz, the Committee elected Professor Gilbert Murray as Chairman, Madame Curie and M. Jules Destrée were appointed Vice-Chairmen.

The preparatory work had been methodically carried out by the International Institute of Intellectual Co-operation, in conformity with its Statutes, in virtue of which the Institute is the investigating and executive organ of the Committee. During its session, the Committee dropped certain parts of the programme submitted to it. It deemed it preferable not to undertake certain investigations which other organisations could carry out successfully, but to concentrate on immediately realisable aims, and devote all its energy to problems of great importance corresponding to its prestige and the hopes that the League has placed upon it.

It was thus led to the conclusion that the questions of scientific property and of the co-ordination of bibliography deserved the fullest attention.

The growing esteem in which the Committee on Intellectual Co-operation is held is, moreover, attested by the ever-increasing support it receives. Both its assistance and that of the Institute are daily more sought after, either by men of learning or by international organisations, whenever important work has to be co-ordinated or organised. Several Governments, undoubtedly satisfied with the methods of the Committee and the Institute, and with the international spirit which pervades their work, have followed the example of the French Government, and provided the Institute with further financial support. The latter already receives grants from eleven States, and these constitute a large addition to the French subsidy.

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The work of the Committee opened this year with a meeting of the *Sub-Committee on University Relations*. This Committee had to consider the reports of the representatives of Students' International Organisations and of Directors of National Offices for university information, who now meet yearly. Representatives of the scientific institutes of international and political studies met for the first time. This meeting was held in Berlin, and it appears likely that it will also be held regularly in future.

The Sub-Committee likewise considered the report on the *Handbook of University Exchanges in Europe*, which was compiled, thanks to a generous contribution, accepted by the Council at its session in March 1928, from the American National Council on Education. The Sub-Committee was also pleased to hear that this American institution is placing at the disposal of the Institute the funds required for the publication of a second edition. I feel sure that I am interpreting the sentiments of all our members in thanking the American National Council for its valuable assistance.

The *Sub-Committee on Intellectual Rights* has likewise achieved two satisfactory results. It has considered, first, a preliminary draft international convention on scientific property, prepared in accordance with the decision taken by the Council on September 2nd, 1927. This draft was framed by a Committee of Experts in science, industry and law, which met in Paris in December 1927. On the principle of individual right as a basis, the draft establishes the protection of the author of a scientific discovery admitting of practical application. It was intended to submit this draft to the various Governments for their opinions. The Economic Committee of the League informed us, however, through its representative on the Sub-Committee on Intellectual Rights, that the question of the expense imposed on industrial concerns as a result of the new rights recognised in the draft gave rise to certain misgivings. The Economic Committee is of opinion that, in order to lighten this burden, it would be to the interest both of individual users and of

industrialists to discharge their obligations indirectly; that is to say, through a scheme of insurance. This suggestion was favourably received by the Committee on Intellectual Co-operation and by its Sub-Committee, which agreed that the draft convention should be accompanied by an additional note describing the method of application of the principle of insurance. The Sub-Committee has asked one of its members to draft this note and has requested us to authorise the Secretary-General to transmit both documents, as soon as the note is ready, to the Governments of the various States, whether Members of the League or not, and to invite their comments.

The same Sub-Committee was pleased to hear of the results of the Rome Conference for the protection of authors' rights. It is gratified that the "moral right" of an author to his work, a right which the Committee on Intellectual Co-operation has on two separate occasions emphasised, has now been acknowledged.

Finally, as a result of conversations between the Institute of Intellectual Co-operation and the International Institute of Statistics, and of the resolutions adopted by the Congress which the latter Institute convened in Cairo in December and January last, the Committee had to consider certain proposals for the adoption by States of identical rules on the subject of intellectual statistics. The application of these proposals would, in a number of countries, greatly improve statistics relating to facts of an intellectual order, and comparable information would be available for drawing up general tables.

The *Sub-Committee on Arts and Letters* has dealt with the organisation of the International Museums Office on a simpler basis and also with the question of translation. For example, the International Museums Office promoted an exhibition of casts, which was held in various towns; it studied the question of the educational rôle of museums and the publication of small monographs on the question of museography. This work has likewise taken up a great deal of the activity of the corresponding section of the Institute, which organised, in addition, the Congress of Popular Arts to be held at Prague next October.

On the subject of translation, the Arts Section of the Institute, true to the principle laid down by the Committee on Intellectual Co-operation, has endeavoured to secure the assistance of the competent associations in every country, more particularly that of the National Committees and of the P.E.N. Clubs.

The *Sub-Committee on Science and Bibliography* has noted the progress achieved through the co-ordination of bibliography in physics, political economy and biology, as well as in linguistics, which has now been added to the three first-named subjects.

It is not possible to achieve any final or genuinely complete results in this sphere unless financial assistance is given to the organs called upon to unify, by their joint efforts, the bibliography of any given science. Thanks to the adoption of certain uniform rules, to the exchange of good sheets and to meetings at regular intervals, the Committee has, however, already effected a substantial improvement in the conditions under which analytical bibliography was hitherto carried out. The Committee hopes that these methods, as laid down by its experts, will become more and more generally used, to the great benefit of science and of investigators.

It proved necessary to call a fresh meeting of experts in order to ensure the practical working of the Service for the Co-ordination of Libraries, the creation of which was arranged for last year. This service should afford great facilities to men of learning who desire information as to the special resources of certain libraries and the necessary procedure to obtain the rare works they need for their studies.

The Committee has likewise dealt with science museums and zoological and botanical gardens. It has requested the Institute to study, in the case of these organisations, a scheme of co-ordination similar to that which, in the case of art and history museums, led to the creation of the International Museums Office.

A proposed enquiry into the extent of the material resources at the disposal of scientific research will provide interesting data as to the efforts of Governments, industry and private individuals to assist science through the present difficult period.

Finally, as the result of a searching enquiry, definite proposals have been submitted to the Assembly in regard to a question which may appear of minor importance, but which nevertheless deserves the full attention of Governments, namely, the preservation of printed matter and manuscripts.

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In addition to questions submitted for its consideration by its Sub-Committees or by the Secretariat, the plenary Committee, after considering the report of the Institute, studied several other questions. It considered the founding of a review containing information regarding the instruction of youth in the aims of the League of Nations. This publication will be of great use to teachers who, in accordance with the recommendations approved by the Council and the Assembly last year, must in their respective countries impart information to the young as to the organisation of the League, the results obtained, and the lofty aims it has in view.

The Committee recently considered a question capable of vast extension, namely, a scheme for the interchange of teachers in secondary schools.

As regards the exchange of publications, the Committee had to admit that the majority of Governments did not approve of the proposals made by it at previous sessions. The fact remains, however, that by mooted the idea of an improvement in the Berne Convention of 1886, the Committee has induced further States to accede to that Convention.

The Committee has also considered the Draft Statute of the International Institute of the Educational Cinema. It has adopted the draft with but slight modifications, and wishes to express its appreciation of the generous offer of the Italian Government. The Council will be informed of

the Committee's proposals in regard to this subject through another report, which will deal with the question in all its aspects.

Finally, wishing to give the representatives of the numerous National Committees formed in various countries at its instigation an opportunity of becoming acquainted with each other and of getting into touch with the Director of the Institute, the Secretariat of the League and the members of the Committee on Intellectual Co-operation, the latter has decided to summon them to Geneva to attend a meeting which will take place immediately before next year's session.

The Governing Body of the Institute of Intellectual Co-operation has likewise held its annual session under the presidency of a French member of the Committee, M. Painlevé. It discussed and approved the report by the Director of the Institute and his proposals in regard to next year's budget, together with the report by the representative of the Board of Directors and the report of the League auditor on last year's financial administration.

On the proposal of the Director of the Institute, the Governing Body decided to introduce some slight alterations in the staff regulations of the Institute, and these alterations were brought to the notice of the Council in document A.28.1928.XII.

I have the honour to submit to the Council the following draft resolution:

" The Council expresses its high appreciation of the work undertaken and the results achieved by the International Committee on Intellectual Co-operation during the year. It notes with satisfaction the progress made by the International Institute of Intellectual Co-operation and the increasingly effective assistance it renders in the preparatory work of the Committee.

" The Council takes note of the Committee's report and transmits it to the Assembly. It likewise notes the report by the Governing Body of the Institute which, in accordance with the Statutes, will be transmitted to the French Government and to all the Members of the League.

" The Council hopes that in the field of bibliography the Committee will succeed in giving practical effect to the highly judicious recommendations put forward by the various committees of experts which have dealt with the various branches of that science.

" The Council invites the Governments of the States Members of the League to place at the disposal of the competent departments of their administration the means required to give the fullest possible effect to the recommendations on the subject of intellectual statistics made by the International Institute of Statistics at its last plenary session<sup>1</sup>.

" The Council requests the Secretary-General of the League to communicate, for their opinion, to the Governments of States, both Members and non-members of the League, the preliminary draft international Convention in regard to scientific property drawn up by the Committee of Experts and approved by the Committee on Intellectual Co-operation. It further authorises the Secretary-General to append to this draft an explanatory note describing certain methods of application which, while not affecting the scope of the proposed Convention as regards the protection of scientific discoveries, would remove all obstacles to the activity of economic circles utilising such discoveries. This note will be submitted to him by the Rapporteur appointed by the Committee on Intellectual Co-operation, by whom it will be prepared with the assistance of the competent services of the Institute. "

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<sup>1</sup> These recommendations are contained on page 30 of the Report of the Joint Committee on Intellectual Statistics, a copy of which in French has been distributed to the Members of the League of Nations and the Delegates at the Assembly.

*Article 26.*

1. The task of the Conciliation Commission shall be to elucidate the questions in dispute, to collect with that object all necessary information by means of enquiry or otherwise, and to endeavour to bring the parties to an agreement. It may, after the case has been examined, inform the parties of the terms of settlement which seem suitable to it, and lay down the period within which they are to make their decision.

2. At the close of its proceedings, the Commission shall draw up a procès-verbal stating, as the case may be, either that the parties have come to an agreement and, if need arises, the terms of the agreement, or that it has been impossible to effect a settlement. No mention shall be made in the procès-verbal of whether the Commission's decisions were taken by a majority vote.

3. The proceedings of the Commission must, unless the parties otherwise agree, be terminated within six months from the day on which the Commission shall have been notified of the dispute.

*Article 27.*

The Commission's procès-verbal shall be communicated without delay to the parties. The parties shall decide whether it shall be published.

*Article 28.*

If the parties have not reached an agreement within a month from the termination of the proceedings of the Conciliation Commission, the dispute remains subject to be dealt with in accordance with Articles 15 or 17 of the Covenant of the League of Nations, as the case may be. This present provision shall not apply in the case provided for in Article 11.

CHAPTER III. — GENERAL PROVISIONS.

*Article 29.*

1. In all cases, and particularly if the question on which the parties differ arises out of acts already committed or on the point of being committed, the Permanent Court of International Justice, acting in accordance with Article 41 of its Statute, or the Arbitral Tribunal, shall lay down, within the shortest possible time, the provisional measures to be adopted. It shall in like manner be for the Council of the League of Nations, if the question is brought before it, to ensure that suitable provisional measures are taken. The parties to the dispute shall be bound to accept such measures.

2. If the dispute is brought before a Conciliation Commission, the latter may recommend to the parties the adoption of such provisional measures as it considers suitable.

3. The parties undertake to abstain from all measures likely to react prejudicially upon the execution of the judicial or arbitral decision or upon the arrangements proposed by the Conciliation Commission or the Council of the League of Nations, and in general, to abstain from any sort of action whatsoever which may aggravate or extend the dispute.

*Article 30.*

Should a dispute arise between more than two States parties to the present Treaty, the following rules shall be observed for the application of the forms of procedure laid down in the foregoing provisions:

(a) In the case of conciliation procedure, a special commission shall invariably be constituted. The composition of such commission shall differ according as the parties all have separate interests or as two or more of their number act together.

In the former case, the parties shall each appoint one commissioner and shall jointly appoint commissioners, nationals of third Powers, whose number shall always exceed by one the number of commissioners appointed separately by the parties.

In the second case, the parties who act together shall appoint their commissioner jointly by agreement between themselves and shall combine with the other party or parties in appointing third commissioners.

In either event the parties shall, unless they agree otherwise, be guided by Article 16 and the following articles of the present Treaty.

(b) In the case of judicial procedure, the Statute of the Permanent Court of International Justice shall apply.

(c) In the case of arbitral procedure, if agreement is not secured as to the composition of the tribunal, each party shall have the right to submit the dispute to the Permanent Court of International Justice directly by means of an application.

*Article 31.*

1. The present Treaty shall be applicable as between the High Contracting Parties, even though a third Power, whether a party to the Treaty or not, has an interest in the dispute.

2. In conciliation procedure, the parties may agree to invite such third Power to intervene.

3. In judicial or arbitral procedure any third Power having an interest on legal grounds in the dispute shall be requested to take part in the procedure. The request shall be made to it by either party, or by both parties jointly. Such third Power, even if not invited, shall be entitled to intervene either if it is a party to the present Treaty or if the question concerns the interpretation of a treaty in which it has participated with the parties to the dispute.

Geneva, September 19th, 1928.

LEAGUE OF NATIONS

**Relations between the League of Nations  
and Institutes or Bodies set up under its Authority.**

**REPORT OF THE SECOND COMMITTEE TO THE ASSEMBLY.**

*Rapporteur* : Dr. Rudolf BREITSCHIED (*Germany*).

The Second Committee has considered the questions connected with the relations between the League and the institutes and bodies set up under its authority.

The Committee noted with satisfaction that the Council, at its meeting on June 7th, 1928, approved a report submitted by the Chinese representative, defining in precise terms what should be the nature of the relations between the League and the institutes and bodies set up under its authority. The Committee is of opinion that the Assembly may congratulate the Council on having thus cleared up in a satisfactory manner a question which, in the development of international life, has come to play an increasingly important part in the accomplishment of the League's work.

The report adopted by the Council treats exhaustively of both aspects of the question. It deals first with the application of the general principles to be followed in placing international bureaux under the direction of the League — that is, with the application of Article 24 of the Covenant — and, secondly, with the general rules which might in the future govern the acceptance of international institutes by the League.

The Committee considers it superfluous to summarise in its report to the Assembly the principles laid down in the first part of the Council's report, on the application of Article 24 of the Covenant. They are set forth in great detail, and any abbreviation might distort the meaning of the original text, which all the Members of the Assembly have before them. The Committee desires, however, to state that it is in full agreement with the principles indicated by the Council for the application of the Article in question. These principles provide a solid foundation for fruitful co-operation between the League and the international bureaux, as contemplated in the Covenant. While retaining their constitutional autonomy, these bodies would function more or less as extensions of the League itself within limited specialised fields. It would be for the League to see that these organisations preserved their international character and that their work was carried on efficiently and did not overlap the work of other institutions. If conceived and carried through on these lines, the placing of an international bureau under the direction of the League can do nothing but good to both parties.

The second part of the report aims at defining the rules which might govern in future the acceptance of international institutes offered to the League of Nations. The Assembly will recall the generous offers made by the French and Italian Governments, which have led to the creation of the International Institute of Intellectual Co-operation, the Institute for the Unification of Private Law and the Educational Cinematographic Institute. It is probable that further similar offers will be made to the League with the object of providing for the accomplishment of other work of general concern through international co-operation.

It has therefore been thought desirable to establish here and now certain general rules which would apply in such contingencies. The rules proposed to us by the Council are based upon a fundamental principle : " The object of the institute must come within the sphere of activity of the League of Nations, the institute serving as a working instrument. " The Council's report continues : " The adoption of the principle suggested at the beginning of this clause must obviously have a restrictive effect on offers of institutes to the League, but this restriction appears to be not only in keeping with the intention of the Assembly resolution but even desirable in itself, in that it affords a definite solution of the question and precludes all danger of ambiguity. " The Second Committee cannot but adopt these views. Like the Council, it is particularly anxious that any institute that may be established should be attached to an advisory technical League organisation — this being fully justified by analogy with the procedure adopted by the League for all technical activities. Moreover, it is supported by all the available precedents, as may be seen from the statutes and regulations of the three institutes of this kind already in existence.

The Second Committee therefore feels that it is able to agree to the report adopted by the Council. It would, however, prefer that, when an institute of this kind is created, its financial status should also be examined, with a view to ascertaining whether the institute

possesses sufficient funds to allow of the effective fulfilment of the international duties entrusted to it. Moreover, to meet two special points raised by its members, the Committee suggests that the following additions should be made to the report :

(1) After the words "provision should be made for a governing body" insert the words "which will meet at regular intervals"; (2) insert the following sentence at the end of paragraph (c) : "care should be taken that the nomination of members, both to the governing body and the superior staff, be made without distinction of sex and to correspond with the international character of the institute."

In view of the foregoing observations, the Second Committee feels justified in proposing the following resolution :

*Draft Resolution.*

"The Assembly,

"Having taken note of the report adopted by the Council on the question of the relations between the League of Nations and institutes or bodies set up under its authority :

"Approves the rules embodied in that report for the application of Article 24 of the Covenant and for the acceptance of international institutes offered to the League by Governments. The modifications made in that report by the Second Committee of the Assembly are also approved."

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